

NORTH ATLANTIC TREATY ORGANIZATION, THE UNITED STATES, AND INTERNATIONAL LEGITIMACY

A Monograph

by

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ABSTRACT

NATO, THE UNITED STATES, AND INTERNATIONAL LEGITIMACY BY MAJ Mark B. Van Gelder, U.S. Army, 81 pages.

This monograph illustrates that in order for the United States to maintain its security and position as a global power, it will need to dedicate itself to the development of its relationship within NATO and its member states. Identifying the benefits for continued United States support to NATO is the objective of this monograph. For the purpose of this study, three pillars of the U.S.–NATO relationship are discussed: (1) politics; (2) military; and (3) international legitimacy. As a member country, the United States interaction within NATO is investigated in three contemporary case studies: Kosovo from 1998–1999, the Democratic Republic of Georgia in 2008, and Libya in 2011. NATO’s Operation Allied Force intervention campaign in Kosovo, demonstrated NATO’s application of political and military pressure in the post-Cold War era. NATO’s interaction with Georgia before, during and after the Russian invasion of 2008 identified the complex nature of NATO political expansion into East and Eastern Central Europe. NATO’s Operation Unified Protector in Libya helped re-define NATO outside its geographic boundaries. All three case studies have identified strengths and weaknesses for United States membership in NATO. NATO’s strengths provide national legitimacy through a regional organization, increased military power projection through basing, and United States foreign policy influence within a regional organization. NATO’s weakness includes a lack of equitable burden sharing from all NATO members; degradation of United States influence within the organization; and a lack of political consensus within NATO.

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ACRONYMS

| | |
|-------|---|
| EU | European Union |
| GDP | Gross Domestic Product |
| KLA | Kosovo Liberation Army |
| MAP | Membership Action Plan |
| NATO | North Atlantic Treaty Organization / Alliance |
| NSS | National Security Strategy |
| PFP | Partnership for Peace |
| R2P | Responsibility to Protect |
| UN | United Nations |
| UNSC | United Nations Security Council |
| UNSCR | United Nations Security Council Resolution |

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INTRODUCTION

The creation of NATO is an institution in continuous transition but focused on a common goal, as remarked by the first Supreme Allied Commander Europe, “This world of ours, ever growing smaller, must avoid becoming a community of dreadful fear and hate, and be, instead, a proud confederation of mutual trust and respect.

—Dwight D. Eisenhower, “Farewell Address to the Nation”

In 1949, several states in Western Europe, the United States, and Canada established the North Atlantic Treaty Organization (NATO), a collective security system designed to deter the Soviet Union (see figure 1. NATO Membership Timeline).¹ The establishment of NATO as a regional security organization was part of a shift in United States foreign policy from unilateralism, often called isolationism, to global engagement after World War II. From the Revolutionary War, through the Monroe Doctrine, and two World Wars, the United States attempted to avoid entangling the country’s policy and military action with the influence of other states.² The United States experience in World War II and technological changes in warfare served to alter the United States approach to the world after 1945. NATO’s identity is rooted in the concept of collective security. If one member of the Alliance comes under attack then the other members come to the state’s defense.

Article 5 of the NATO Treaty established the alliance’s principle of collective defense. Article 5 was deliberately worded to work in consonance with Article 51 of the United Nations (UN) Charter.³ Article 51’s ambiguous language allows NATO operational flexibility on a

¹The terms NATO and Alliance are used interchangeably in monograph.

²Lawrence S. Kaplan, *NATO and the United States: The Enduring Alliance*, updated ed. (New York: Twayne Pub, 1994), 1.

³Chapter VII, Action with Respect to the Peace, Breaches of the Peace, and Acts of Aggression; Article 51: Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

regional or global scale. In essence, Article 5 embodied the overall concept of why NATO exists. Article 5 incorporates collective defense, and provides the means for NATO members to support one another if any one of them is the victim of an armed attack. An attack against one is an attack against all. NATO's creation, stemmed for the need to counteract the threat of invasion from the Soviet Union during the Cold War.⁴

Between 1949 and the collapse of the Soviet Union in 1991, the United States along with its NATO partners focused on mutual defense. After 1991 both the United States and its Allies began to evaluate the purpose and, at times, geographic focus of NATO. Some questioned if the organization should continue to exist. NATO's key principle of mutual defense seemed less relevant absent the Soviet threat. U.S. President George H.W. Bush's advocacy of a new world order, however ambiguous, and the success of the United States-led coalition against Saddam Hussein, which took place with legitimacy provided by United Nations Security Council Resolutions (UNSCR), suggested a new era when international organizations and international law would be increasingly important. In this climate more traditional collective security organizations like NATO seemed adrift. In the 1990s, NATO expansion into the Caucasus and Eastern Europe became a justification in itself. These evaluations have affected the United States and its relationship with other NATO members. Does the United States view NATO as an alliance of equals, a tool, or both? Is the United States benefiting sufficiently from its continued membership in NATO to warrant its political, economic and military contributions? Is the United States legitimacy as an international actor dependent on its membership as a NATO partner? In order for the United States to maintain its security and position as a global power, it will need to

United Nations, "Chapter VII: Action with Respect to the Threats to the Peace, Breaches of the Peace, and Acts of Aggression," Charter of the United Nations, <http://www.un.org/en/documents/charter/chapter7.shtml> (accessed 2 March 2014).

⁴North Atlantic Treaty Organization, "What Is Article 5?" 18 February 2005, NATO, <http://www.nato.int/terrorism/five.htm> (accessed 19 November 2013).

dedicate itself to the development of its relationship within NATO and its member states. For the purpose of this study, three pillars of the U.S.–NATO relationship are discussed: (1) politics; (2) military; and (3) international legitimacy.

| NATO Membership Timeline | | | | | | |
|--|----------------|-----------------------------|-------|---------------------------------|---|------------------|
| 1949 | 1952 | 1955 | 1982 | 1999 | 2004 | 2009 |
| Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, The Netherlands, Norway, Portugal, the United Kingdom, United States | Greece, Turkey | Federal Republic of Germany | Spain | Czech Republic, Hungary, Poland | Bulgaria, Estonia, Latvia, Lithuania, Slovakia, Slovenia, Romania | Albania, Croatia |

Figure 1. NATO Membership Timeline

Source: Created by author using data from North Atlantic Treaty Organization, “Member Countries,” NATO, http://www.nato.int/cps/en/natolive/topics_52044.htm (accessed 14 February 2014).

NATO’s participation in out-of-area operations has become more common since 1991. These operations have elements from each of these pillars. Since 2003, NATO continues to support the United States in Afghanistan through the International Security Assistance Force. The United States has participated in numerous NATO operations throughout the world, including: (1) Bosnia and Herzegovina (1992-2004); (2) Kosovo (1999); (3) Mediterranean Sea (Operation Active Endeavor 2001-present); (4) Support the African Union (2007-present); (5) Horn of Africa (Operation Ocean Shield from 2009-present); and (6) Libya (Operation Unified Protector in 2011).⁵ The United States has demonstrated ongoing, if uneven, commitment to NATO

⁵North Atlantic Treaty Organization, “NATO Operations and Missions,” NATO, http://www.nato.int/cps/en/natolive/topics_52060.htm. Bosnia and Herzegovina also referred to as Balkans (accessed 11 August 2013).

operations since the end of the Cold War. The Balkan peacekeeping operations provided a reinvigoration of the idea that NATO could act “out of area.”⁶ After the 11 September 2001 (9/11) terrorist attack, NATO has expanded from its original concept of mutual defense within Europe to an entity capable of providing support in other areas of the world.⁷

Over the last decade, U.S.–NATO relations have changed since the 9/11 attacks. After 9/11, NATO invoked Article 5, and agreed to assist the United States operations in Afghanistan against the terrorist networks that supported the attacks. The United States initially declined NATO support and began Operation Enduring Freedom, a United States-led operation. The United States wished to act quickly against terrorist organizations within Afghanistan, and believed NATO involvement could delay or detract from United States goals.

Following the end of the Cold War, NATO sought to expand the Alliance to include the post-Soviet states. The Partnership for Peace Program (PFP) provided a mechanism for potential NATO expansion.⁸ The PFP program is a post-Cold War manifestation incorporating post-Soviet

⁶The primary role of Alliance military forces, to guarantee the security and territorial integrity of member states, remains unchanged. But this role must take account of the new strategic environment, in which a single massive and global threat has given way to diverse and multi-directional risks. Alliance forces have different functions to perform in peace, crisis and war. In peace, the role of Allied military forces is to guard against risks to the security of Alliance members; to contribute towards the maintenance of stability and balance in Europe; and to ensure that peace is preserved. They can contribute to dialogue and co-operation throughout Europe by their participation in confidence-building activities, including those that enhance transparency and improve communication; as well as in verification of arms control agreements. Allies could, further, be called upon to contribute to global stability and peace by providing forces for United Nations missions. North Atlantic Treaty Organization, “The Alliance’s New Strategic Concept,” 7-8 November 1991, NATO, http://www.nato.int/cps/en/natolive/official_texts_23847.htm (accessed 2 March 2014), 40, 41.

⁷NATO, “NATO Operations and Missions.”

⁸PFP signatories in 1994 (*Joined NATO): *Albania, Armenia, Azerbaijan, *Bulgaria, *Czech Republic, *Estonia, Finland, Georgia, *Hungary, Kazakhstan, Kyrgyz Republic, *Latvia, *Lithuania, Moldova, *Poland, *Romania, Russia, *Slovakia, *Slovenia, Sweden, Turkmenistan, Ukraine, and Uzbekistan; PFP signatories in 1995: Austria, Belarus, Malta, and The Former Republic of Macedonia; PFP signatory in 1996: Switzerland; PFP signatory in 1999: Ireland; PFP signatory in 2000: *Croatia; PFP signatory in 2002: Tajikistan; PFP signatories in 2006: Bosnia and Herzegovina, Montenegro, and Serbia. North Atlantic Treaty Organization, “Signatures for the Partnership for Peace Framework Document,” modified January 10, 2012, NATO, http://www.nato.int/cps/en/natolive/topics_82584.htm (accessed 20 April 2014).

controlled states into the umbrella of NATO collective defense. The PFP program focused on interoperability in joint exercises, clarity in defense financing and conduct, and contributions to NATO operations. The Membership Action Plan (MAP) is a key process to prepare PFP members for NATO membership. Following a country's acceptance into MAP, the process establishes the necessary political and military reforms to become a NATO member. MAP status is significant, as every MAP member eventually became a NATO member.⁹ Acceptance to MAP requires unanimous approval from NATO members. The PFP program develops a two-year individual partnership plan. The program assesses the state's needs and adapts the program to the state's capabilities. The adaptation of the program to the state allows for the integration of the state to the security needs of their region and NATO. While enlargement is mostly politically driven, the MAP seeks to ensure that there is a military rationale to expansion. Additionally, NATO expanded the organization's political, and military operational interests into regional and global humanitarian issues.

⁹Condoleezza Rice, *No Higher Honor: A Memoir of My Years in Washington* (New York: Crown, 2011), location 672, Amazon Kindle edition.

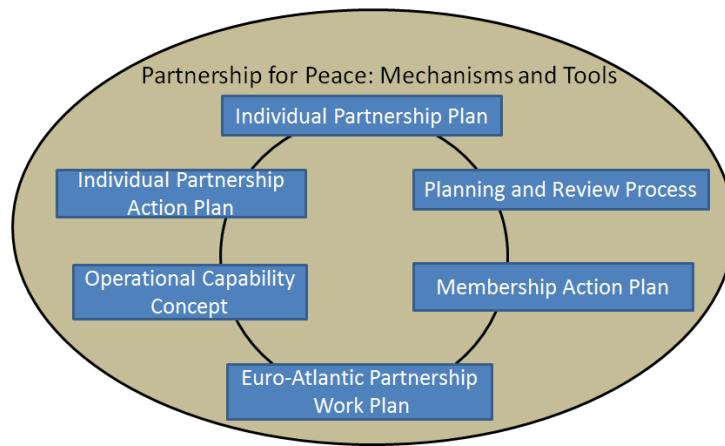


Figure 2. PFP Mechanisms and Tools

Source: Created by author using data from Allied Command Operations, “Partnership for Peace Program - ACO – NATO,” NATO, http://www.aco.nato.int/resources/10/documents/Milcoop%20page-ACO%20Webpage_ADCOS%20approved2.pdf (accessed 1 March 2014).

International legitimacy empowers U.S.–NATO political and military efforts. That legitimacy benefits from humanitarian efforts. NATO’s involvement in Responsibility to Protect (R2P) continues to redefine the organization’s use of both soft and hard power in a post-Cold War era. The 2010 NATO “Strategic Concept” incorporated, Security through Crisis Management, and stated:

Crisis and conflicts beyond NATO’s borders can pose a direct threat to the security of Alliance territory and populations. NATO will therefore engage, where possible and when necessary, to prevent crisis, manage crisis, stabilize post-conflict situations and support reconstruction.¹⁰

Humanitarian issues in the global environment affect the United States and NATO politics and military action. The development of NATO humanitarian operations continues to shape the

¹⁰North Atlantic Treaty Organization, *Active Engagement, Modern Defence: Strategic Concept for the Defence and Security of the Members of the North Atlantic Treaty Organization*, 19-20 November 2010, NATO, http://www.nato.int/nato_static/assets/pdf/publications/20120214_strategic-concept-2010-eng.pdf (accessed 1 March 2014).

organization's actions as witnessed with Kosovo in 1999 and Operation Unified Protector in 2011. The concept of humanitarian intervention came to fruition with the introduction of R2P.

The concept of R2P was agreed to during the 2005 UN World Summit.¹¹ R2P was then endorsed in UNSCR 1674 and set standards for preventing armed conflict to protect a civilian population.¹² The R2P concept essentially focuses on a state actor protecting its population. R2P's focus is along the lines of humanitarian intervention (ex. genocide, ethnic cleansing). The international community can assist a state actor to ensure the population remains protected. If a state actor is unwilling or unable to meet this obligation, the international community can intervene through diplomacy or collective action. The concept of R2P continues to be debated within the UN. The issues of response and prevention directly align with R2P's capacity for "early warning" and "flexibility" for acts of "genocide, crimes against humanity, war crimes, and ethnic cleansing."¹³ The concept of R2P affects the sanctity of state sovereignty.

¹¹United Nations General Assembly, "Paragraphs 138-139 of the World Summit Outcome Document," September 2005, International Coalition for the Responsibility to Protect, <http://responsibilitytoprotect.org/index.php/component/content/article/35-r2pcs-topics/398-general-assembly-r2p-excerpt-from-outcome-document> (accessed on 10 March 2014).

¹²United Nations Security Council, "Resolution 1674 (2006), 28 April 2006, Official Document System of the UN, <http://www.un.org/lisbon2010/strategic-concept-2010-eng.pdf> (accessed 20 April 2014).

¹³A/RES/60/1, para. 138-140, Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to

Sovereignty is a complex term as the definition continually changes in an increased global environment. There are four ways sovereignty can be understood: (1) International legal: “practices associated with mutual recognition, usually between territorial entities that have formal juridical independence;” (2) Westphalian: “political organization based on exclusion of external actors from authority structures within a given territory;” (3) Domestic: “the formal organization of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity;” and (4) Interdependence: “ability of public authorities to regulate the flow information, ideas, goods, people, pollutants, or capital across the borders of their state.”¹⁴ Concepts of borders and authority have changed over time. After World War I the concept of “state sovereignty and nonintervention dominated international politics.”¹⁵ However, in 2011, U.S.–NATO conducted operations in Libya inspired by R2P under the auspices of a UN mandate. R2P stipulates, “Sovereignty no longer exclusively protects States from foreign interference; it is a charge of responsibility that holds States accountable for the welfare of their people.”¹⁶ The international community in today’s interconnected world continues to debate the meaning of sovereignty. As the concept of sovereignty is contested there is a growing need for uses of forces to garner international legitimacy.

helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those, which are under stress before crises, and conflicts break out. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide. Office of the Special Advisor on the Prevention of Genocide, “The Responsibility to Protect,” 24 October 2005, United Nations, <http://www.un.org/en/preventgenocide/adviser/responsibility.shtml> (accessed 23 February 2014), 138, 139, 140.

¹⁴Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999), location 32, Amazon Kindle edition.

¹⁵Hilton L. Root, *Dynamics Among Nations: The Evolution of Legitimacy and Development in Modern States* (Boston, MA: The MIT Press, 2013), Location 4782, Amazon Kindle edition.

¹⁶Office of the Special Advisor on the Prevention of Genocide, “The Responsibility to Protect.”

Whereas humanitarian efforts contribute to the United States and NATO legitimacy, unilateralism may detract from the United States political and military legitimacy. The practice of United States unilateralism in international relations is historically intertwined with the country's identity. Unilateralism essentially allows a state the freedom to conduct foreign policy with little regard to other state actors.¹⁷ Since the United States' conception in 1776, the country followed the advice of their first president, George Washington, to avoid entangling alliances.¹⁸ The United States retains the freedom to conduct unilateral actions. The increased importance of international legitimacy suggests a benefit from regional and international organizations focused on mutual support. NATO's contributions to the United States political and military actions are beneficial but costly due to the imbalance of support between the United States and other Alliance members.

NATO's expansion into Eastern Europe and reaction to humanitarian crises helped extend its legitimacy as a security organization after the collapse of the Soviet Union. However, NATO still has issues with its ability to support wider political and military endeavors. Limited Allied contributions and internal disagreements between members in NATO prompt some in the United States to question if it should continue to support the organization. This creates further questions on what is the best method to deal with global occurrences that rely on outside entities to provide political, military, and international legitimacy to the event(s). Due to the United States unilateral approach in regions throughout the world, particularly the 2003 invasion of Iraq, the country cannot afford to leave NATO and further damage its legitimacy as an international actor.

A common outlook from an American perspective is to question how much does the United States gain when it provides up to one-quarter of the NATO budget. Another observation is the disproportionate burden sharing (e.g. personnel, equipment) compared to other Allied

¹⁷Walter McDougall, *Promised Land, Crusader State: The American Encounter with the World Since 1776* (Boston: Mariner Books, 1998), 40.

¹⁸Ibid., 217.

members. Burden sharing from NATO members includes funding from national defense budget with a current target of (two percent gross domestic production (GDP)), and use of armed forces for NATO missions. Only four NATO members contributed the required amount of GDP in 2012.¹⁹ U.S. Congressman Ron Paul believes NATO unnecessarily expends the United States finances, and “drags us into wars.”²⁰ These observations fail to recognize NATO’s direct and indirect contributions. Identifying the mutual benefits of continued United States support to NATO is the objective of this monograph.

The United States rejection of NATO support and the country’s choice to conduct a unilateral operation highlights the complex nature of the U.S.–NATO relationship.²¹ The monograph explores the utility for continued improvement of U.S.–NATO relations. Section two provides an examination of NATO and United States systems in addition to their relationship for political, military, and international legitimacy in the global environment. An explanation of the United States and NATO policies allow for an appreciation of how both may diverge while allowing for a mutually supportive relationship. The United States need to maintain world import is in part associated with the country’s influence within NATO operations. Three contemporary case studies: Kosovo from 1998-1999, the Democratic Republic of Georgia in 2008, and Libya in 2012, provide the material to assess the nature of contemporary U.S.–NATO relations.

Sections three through five focus on case studies to examine NATO’s effects on the United States influence in the contemporary era. Each of these case studies demonstrates a direct or indirect relationship between the United States and NATO. Section three examines NATO’s

¹⁹Nora Bensahel and Jacob Stokes, *The U.S. Defense Budget and the Future of Alliance Burden-Sharing (Transatlantic Security Task Force)* (Paris: German Marshall Fund of the United States, 2013), Location 44, Amazon Kindle edition.

²⁰CBS News, “Ron Paul: We Should Not Be in NATO,” 8 July 2010, CBS Interactive Inc., <http://www.cbsnews.com/videos/ron-paul-we-should-not-be-in-nato/> (accessed 14 February 2014).

²¹Andrew R. Hoehn and Sarah Harting, *Risking NATO: Testing the Limits of the Alliance in Afghanistan* (Santa Monica, CA: RAND Corporation, 2010), Location 320, Amazon Kindle edition.

Operation Allied Force campaign in Kosovo, an intervention conducted without UN sanction. Operation Allied Force became the organization's first real test for the application of political and military pressure in the post-Cold War era. During Operation Allied Force, NATO experienced complications in support of the Kosovo Albanians, a non-NATO member. Operation Allied Force showed NATO and the United States willingness to conduct security and stability operations outside the policy of mutual defense. However, NATO conducted operations without a UN mandate. Serbian aggression against Kosovar Albanians showed NATO's willingness to execute operations based on humanitarian grounds without the legal approval of the UN and activation of Article 5. NATO's action in Kosovo created an international precedent used by Russia during the invasion of South Ossetia and Abkhazia in the Republic of Georgia. Finally, Operation Allied Force showed the disparity of the United States political and military force capability compared to NATO's European Alliance members. NATO actions in Kosovo show the success and failure of the organization to adapt in an environment without Soviet aggression.

The final section examines the findings of the three case studies and their implications for the United States national interests and continued involvement within NATO. The findings show the necessity for the United States to remain within NATO and continue to support the organization. The United States involvement in NATO provides both entities the opportunity to benefit from the relationship.

UNITED STATES UNILATERALISM AND THE COMMITMENT TO NATO

At the end of the Cold War the United States defense policy further emphasized the country's relations with its allies. Following 9/11, United States defense policy resumed a long-standing history of unilateral action in the model of Cold War interventions. During this period, the United States political and military action reflected the country's national security strategy, and unilateral approach within the global environment. The Bush Administration (2001-2009) provides an example of United States unilateralism. On 17 September 2002, the George W. Bush

Administration published a National Security Strategy (NSS) of the United States. The 2002 NSS highlighted the need to combat threats against the United States and those who endanger freedom within the global environment. The 2002 NSS stated, “Defending our Nation against its enemies is the first and fundamental commitment of the Federal Government.” Further, the NSS explained, “and America will hold to account nations that are compromised by terror, including those who harbor terrorists—because the allies of terror are the enemies of civilization. The United States and countries cooperating with us must not allow the terrorists to develop new home bases.”²² The 2002 NSS reflected the administration’s will to work with other states or organizations to achieve national policy, but could and was interpreted as the United States position to act against terror, with or without international support. At times, the United States preference for unilateralism during its War on Terror assisted its short-term aims for tactical and operational success but damaged the long-term strategic position in a world of globalization.²³

This unilateral tendency allowed the United States to act with limited interference from the international community. As a regional security organization, NATO’s influence on the United States political and military actions was typically confused within Europe. As a regional organization, NATO’s concept of collective security was traditionally conceived in relation to the territorial integrity of its member states. Nonetheless, as an expression of solidarity following the horrible scale of the violence on 11 September 2001, the members of NATO on 12 September agreed to invoke Article 5 for the first time in history. This solidarity meant most NATO partners were willing to support United States actions against Al Qaeda and the Taliban regime that harbored them in Afghanistan. The Bush administration’s decision to embrace a wider Global

²²George W. Bush, *The National Security Strategy of the United States*, 17 September 2002, National Security Strategy Archive, http://nssarchive.us/?page_id=32 (accessed 9 February 2014).

²³Philip Gordon and Jeremy Shapiro, *Allies at War* (New York: McGraw-Hill, 2004), Location 199, Amazon Kindle edition.

War on Terror, especially its expansion to include Iraq, fractured the early pro-U.S. consensus. The United States war in Iraq (Operation Iraqi Freedom) highlighted differences between United States unilateralism and the country's actions as a NATO member.²⁴ The United States actions within the global environment asserted itself in the United States invasion of Iraq.²⁵ Before the start of the Iraq War (2003-2011), Iraq continuously violated UN mandates implemented during the first Gulf War (1990-1991).²⁶ Prior to the Iraq War, a divide existed between the United States and members within the international community on the means to hold Iraq accountable to UN sanctions. The United States position focused on force, while many members within the international community believed the UN mandate achievable without force.

The United States-led war against Iraq provides an example for the pros and cons of United States unilateralism. The pros to United States unilateralism involve the United States capability to conduct a decisive military operation to achieve national policy.²⁷ The United States believed international approval might slow or degrade goals due to a lack of consensus to an issue. The cons from United States unilateralism, stem from missed opportunities on burden sharing, and legitimacy of the War on Terror and the United States position in the international community.²⁸ Initially, NATO and United States relations improved and led to the activation of Article 5 for the collective defense of the United States from terrorist action. In the course of the

²⁴Recognize Operation Iraqi Freedom as a coalition of the willing, however, the U.S. instigated and led the operation.

²⁵Gordon and Shapiro, Location 873-874.

²⁶Ibid., Location 769,

²⁷A decisive point is a geographic place, specific key event, critical factor, or function that, when acted upon, allows commanders to gain a marked advantage over and adversary or contribute materially to achieving success. Headquarters, Department of the Army, Army Doctrine Reference Publication 5-0, *The Operations Process* (Washington DC: CreateSpace Independent Publishing Platform, 2012), 2-10.

²⁸Gordon and Shapiro, Location 653.

build up to the invasion of Iraq, the United States increased unilateral action, contrary to participation in the NATO alliance.

The United States participated in both unilateral and multinational military operations in Afghanistan and Iraq for over a decade. The military operations in Afghanistan and Iraq affected the national and international perceptions of United States legitimacy. In both operations, the United States sought inclusion of other states and organizations. America received unanimous support to invade Afghanistan. In contrast, Iraq received mixed international support for military action. The lack of international support for the invasion of Iraq undermined United States legitimacy.

Today, the United States is one of the few countries capable of projecting military forces globally. Unlike the United States, the European alliance members lack the capabilities to sustain and project the necessary force posture during an operation. The United States' capabilities additionally develop from the country's ability to conduct military action within a short period. The rapid reactions of United States forces are due in part to bases within NATO countries. Thus, ensuring the support of other NATO countries remains important for United States global power projection.

The United States foreign policy makers have consistently protected the country's national interests.²⁹ These interests influence the country's interaction with NATO and its Alliance members. The United States influence within NATO tied directly with the country's contributions within the organization. As the primary contributor within the organization, the United States magnified its political and military influence within NATO. Since NATO's conception in 1949, the United States guided the political and military apparatus of NATO. The Supreme Allied Commander of Europe, traditionally held by a United States officer, provides an

²⁹George C. Herring, *From Colony to Superpower: U.S. Foreign Relations Since 1776* (New York: Oxford University Press, 2011), 8.

example of United States influence within NATO. Several key policy decisions effected the United States position towards NATO since the end of the Cold War. These policy decisions influenced NATO's position on redefining the organization in a post-Soviet era through the expansion into states once controlled by the Soviet Union.

NATO's post-Cold War expansion occurred in two waves, the first in 1999 and the second in 2004. New NATO members have a vote in the North Atlantic Council. Though they are now full members, many still have limited capabilities to support the military interests of the organization.³⁰ In 2001, U.S. President George Bush spoke in Warsaw, Poland about the United States policy toward NATO. Bush's speech involved: (1) Continued American influence in Europe; (2) Alternative to U.S.–EU relationship for transatlantic relations; (3) Continued reforms and inclusion of post–Cold War states in the large network of democratic countries.³¹ President Bush's speech continued the United States stance of expanding relations within the Caucasus, East and East Central Europe.

Burden sharing continues to be an issue for United States involvement in NATO. Burden sharing is an issue if NATO Alliance members fail to develop and create interoperability congruent with Alliance criteria.³² In order for NATO to conduct operations successfully, its members ideally contribute forces capable of working within set standards. Since the organization's conception the discrepancy between United States contributions and capabilities with its allies effected the United States perception of NATO. Since 1952, United States policy attempted to equalize the contributions between American and NATO by a series of measures,

³⁰Andrew A. Michta, *The Limits of Alliance: The United States, NATO, and the EU in North and Central Europe* (Lanham: Rowman & Littlefield Publishers, 2006), Location 2247, Amazon Kindle edition.

³¹Ibid., Location 2259.

³²Carl Ek, Congressional Research Service Report for Congress RL 30105, *NATO Common Funds Burdensharing: Background and Current Issues*, 15 February 2012 (Washington, DC: BiblioGov, 2012), 4.

including Senate resolutions and agreements to peg contributions to a certain percentage of national GDP (outlined below). None of these measures have been wholly satisfactory.

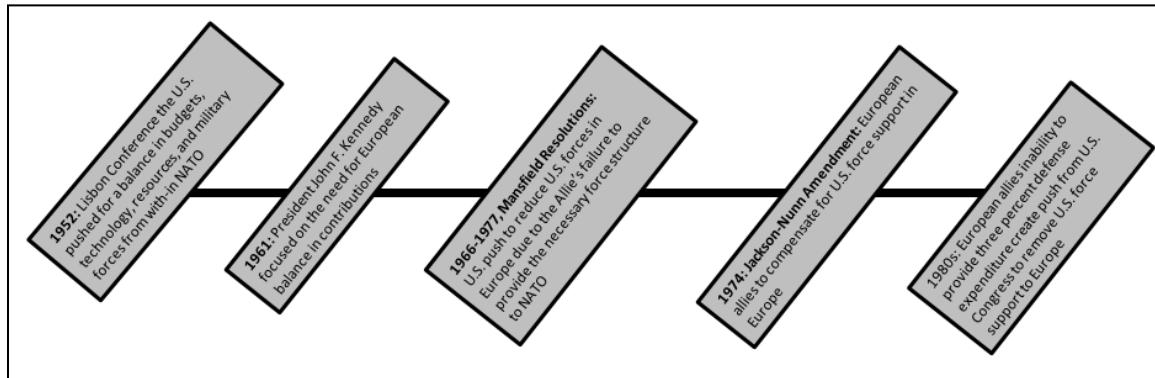


Figure 3. United States Policy Attempts to Equalize Contributions with NATO

Source: Created by author using data from Joseph J. Russo, "Maintaining the Critical Balance: The United States, NATO, and the European Security Equilibrium in the Post-Cold War Operating Environment" (Monograph, School of Advanced Military Studies, U.S. Army Command and General Staff College, Fort Leavenworth, KS, 2012), Location 1305-6, Amazon Kindle edition.

The recent downturn in the global economy exacerbated the disproportionate contributions of the United States and other Allied states for contributions to the NATO defense budget. The cutbacks benefit the United States for short-term goals affecting the budget but the United States loses other capabilities provided by the countries' influence and position within NATO.

European austerity measures led to budget cuts with negative effects on defense spending.³³ Only three nations are meeting NATO's two percent GDP (the United States, Britain, and Greece). In 2011, the United States spent 4.8 percent of its GDP on the military.³⁴ American

³³References to Europe include Western and East Central Europe.

³⁴Steven Erlanger, "Shrinking Europe Military Spending Stirs Concern," *New York Times*, 22 April 2013, http://www.nytimes.com/2013/04/23/world/europe/europe-s-shrinking-military-spending-under-scrutiny.html?_r=0 (accessed 24 February 2014).

observers tend to find fault in this disparity while non-American observers rightfully point out that the United States defense spending is not wholly dedicated to its contribution to NATO. The United States seeks to project a defense capability beyond to exert political and military influence around the globe. The United States policy to maintain a defense policy beyond NATO strains United States resources. The United States and European fiscal shortcomings in defense spending are affected by their willingness to sustain NATO resources in difficult economic times.

The weakness of NATO is the inability of the organization to achieve the level of efficiency that satisfies the organization's policy for European security. An inherent issue with any alliance involves the necessity of consensus. NATO operations depend on the Alliance members to provide the necessary force capabilities to support ongoing operations. The funding shortfalls from other NATO members limit the organization's military capabilities for collective security and out of area operations such as Afghanistan. Of the 28 nations that comprise the organization, one nation, the United States, sustains one-third of its overall cost and provides up to 64 percent of troops to the largest ongoing operation with International Security Assistance Force.³⁵ European Alliance members' defense spending dropped by 20 percent; while their contributions to the Alliance dropped by 21 percent. In a period of austerity these cuts would be relevant but the budget of European NATO members' GDP increased by 55 percent. The difference between these percentages warrants the United States exception to NATO alliance members' failure to contribute the minimum two percent defense funding to the organization.³⁶ NATO Secretary General, Anders Fogh Rasmussen warned of ongoing cuts to NATO by Europeans, who together cut 45 billion dollars. The European nations' failure to meet the two

³⁵ Afghanistan International Security Assistance Force, "Troop Numbers and Contributions," 20 February 2014, ISAF, <http://www.isaf.nato.int/troop-numbers-and-contributions/index.php> (accessed 25 March 2014).

³⁶John Gordon, Stuart Johnson, and F. Stephen Larrabee, *NATO and the Challenges of Austerity* (Santa Monica, CA: Rand Corporation, 2012), 1-2.

percent requirement endangers the viability of the Alliance and the relationship with the United States.³⁷

NATO offers a framework that provides credence within the international community that might otherwise be questioned if conducted unilaterally by a single state. In applying, the concept of legitimacy to a state there must be a clear understanding what legitimacy means to that state. NATO's legitimacy is questioned for each of the political and military actions it participates in to achieve its goals. NATO's goals support the continued existence of the organization but potentially contradict the legality set forth in international law (e.g. UN). The Serbian ethnic cleansing in Kosovo in 1998 to 1999 created a question that NATO faced: Should NATO become involved with or without the approval of the United Nations?³⁸

NATO's growth since the collapse of the Soviet Union expanded interests from a regional to a wider strategic concept. Mutual defense remained as the center point of interest for the organization, however; the organization's growth stems on the ability to project forces and influence beyond European boundaries.³⁹

WAR IN KOSOVO: U.S.–NATO INTERVENTION (1998–1999)

Kosovo became NATO's first war, a war fought to protect a non-NATO population. Before Kosovo, NATO conducted operations in Bosnia following the civil war (1992–1995). In August 1995, NATO conducted Operation Deliberate Force, an air campaign against the Bosnian Serbs for attacks on UN safe areas and violations of a UN peacekeeping mandate. Operation

³⁷Gordon, Johnson, and Larabee, 2.

³⁸Daniele Archibugi et al., “Legality and Legitimacy in the International Order,” *Policy Brief* 5 (2008): 1, Google Scholar. https://www.google.com/url?url=http://scholar.google.com/scholar_url%3Fhl%3Den%26q%3Dhttp://kms1.isn.ethz.ch/serviceengine/Files/ISN/89752/ipublicationdocument_singledocument/lee11544-7d9f-4ac7-b8fa-85c8b5381a46/en/PB_08-05.pdf%26sa%3DX%26scisig%3DAAGBfm3 (accessed 9 February 2014).

³⁹Michta, Location 1356.

Deliberate Force created a precedent for NATO operations in the region and established an antagonistic relationship between Serb leadership and NATO. These tensions escalated in 1998 when NATO forces intervened in the Kosovo conflict.

The Kosovo conflict involved political and military actions between the Kosovo Liberation Army (KLA) and the Federal Republic of Yugoslavia/Serbian forces.⁴⁰ In 1989, Serbian President Slobodan Milosevic introduced a change in the Serbian constitution that diminished the provincial autonomy of Kosovo.⁴¹ From 1996 until 1998, the KLA escalated attacks, including bombings and raids against Serbian targets and Albanian's perceived to be working with the Serbs.⁴² The KLA's attacks focused on the separation of Kosovo from Serbia. Under the leadership of Milosevic, Serbian forces escalated their attacks within Kosovo while the Kosovo Albanian Leader Ibrahim Rugova pushed for independence.⁴³ The increase in Serbian attacks, some attacks deemed as crimes against humanity, within Kosovo led to a displacement of the Kosovar population. In reaction to the hostilities within Kosovo, regional destabilization, and reports of humanitarian crimes, NATO became involved to end hostilities.

⁴⁰ Federal Republic of Serbia referred to as Serbia through rest of monograph. Yugoslavia composed of "Bosnia-Hercegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia. Serbia also had two autonomous provinces: Kosovo and Vojvodina." Following the break-up of Yugoslavia, by 1996, the Federal Republic of Yugoslavia essentially composed Serbia, Montenegro, and the provinces of Kosovo, Macedonia, and Vojvodina. BBC News, "Timeline: Break-Up of Yugoslavia," 22 May 2006, British Broadcasting Corporation, <http://news.bbc.co.uk/2/hi/europe/4997380.stm> (accessed 4 March 2014).

⁴¹ Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington, DC: Brookings Institution Press, 2001), 8.

⁴² Following the signing of the Treaty of Versailles in 1919, the Albanian State was created but with only one-half of the Albanian population. The rest of the Albanian population were incorporated within the country of Yugoslavia, in the Kosovo region. Adem Copani, *Nation of People (Illyro-Albanians)* (Adem Copani, 2012), Location 10,445, Amazon Kindle edition.

⁴³ U.S. Information Agency, compiled by S. D. Stein, "Kosovo, Timeline of Importnt Events, 1998-1999," 16 April 1999, Faculty of Arts Creative Industries and Education, University of the West of England, <http://www.ess.uwe.ac.uk/kosovo/Kosovo-chronology3.htm> (accessed 18 December 2013).

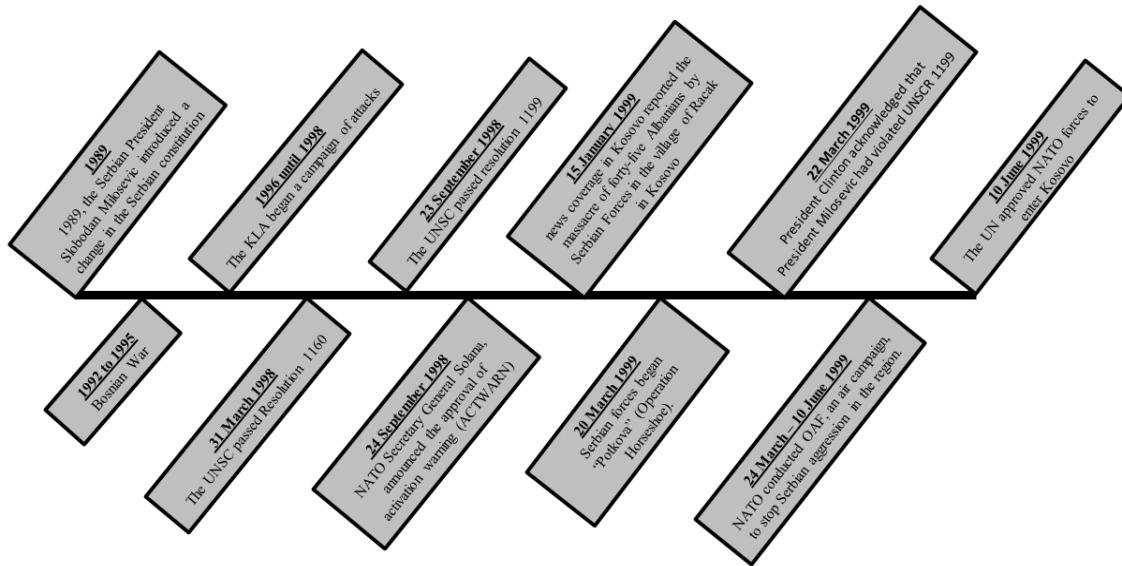


Figure 4. Kosovo Crisis (1998-1999) Chronology

Source: Created by author.

The United States provided the primary military capabilities for Operation Allied Force. France, the United Kingdom and to a lesser extent, other countries provided peacekeeping forces for the region. The United States and its allies placed political pressure in unison with military action to coerce the Serbian government to end their attacks within Kosovo. The primary political and military representatives during Operation Allied Force involved: U.S. President William J. Clinton (1993–2001), U.S. Secretary of State Madeline Albright (1997–2001), U.S. envoy Richard Holbrooke (1996–1999); British Prime Minister Tony Blair (1997–2007); French President Jacques Chirac (1995–2007); NATO Secretary General Javier Solana (1995–1999); NATO Supreme Allied Commander Europe General Wesley K. Clark (1997–2000); and UN Secretary General Kofi Annan (1997–2006).⁴⁴ Russia, a permanent member of the UN Security

⁴⁴ William J. Clinton, “Statement on the Kosovo Peace Talks,” 23 February 1999, John Woolley and Gerhard Peters, The American Presidency Project, University of California Santa Barbara, <http://www.presidency.ucsb.edu/ws/?pid=57148> (accessed 18 December 2013).

Council, and traditional ally of Serbia, could potentially veto any UNSCR against Serbian action in Kosovo. Political actions by the state actors and organizational leaders varied from international condemnation of military actions, and economic sanctions on Serbia.

Friction existed between NATO members before their intervention into Kosovo. A point of friction that separated the Kosovo action from previous NATO operations was the legality and legitimacy of NATO's involvement in Kosovo. Kosovo was neither an allied member nor a state, but was an identified region within the boundaries of the sovereign state of Serbia. However, the overflow of displaced persons and civilian deaths from Serbian aggression within Kosovo created concern from other states within and outside of Europe. NATO members chose to stem the ethnic cleansing and instability throughout the Kosovo region.

Contemporaneous with the outbreak of violence in the Balkans, successive United States administrations, (George H.W. Bush and Bill Clinton) were engaged in drawing down United States forces in Europe. Following the end of the Cold War, many in the United States government sought to enjoy a peace dividend. There was an expectation in the United States that European Alliance members would take a more prominent role in sustaining regional security. The number of United States troops deployed in Europe decreased following the end of the Cold War. The United States expected the European nations to increase their role in collective defense. Following the 1991 Maastricht Summit, the European states believed in a greater European defense identity in the future.⁴⁵ At the time many believed the transformation of the European Community into the EU would facilitate a greater European role in regional security. Presumably the EU could articulate and meet European security needs without an ongoing United States presence.

⁴⁵Kaplan, *NATO Divided, NATO United*, 109-131.

The Kosovo crisis created a new opportunity to legitimize NATO in two ways. First, NATO provided a means for states to conduct military and political actions in a multinational environment. NATO actions prior to Kosovo were limited to minimal Allied military involvement with a largely political role in regional activities. The United States role in Operation Allied Force became significant as the primary contributor in capabilities and leadership during the crisis. However, Operation Allied Force further developed a role of participation for Allied involvement in Europe. Unlike the Bosnian War, NATO conducted Operation Allied Force without formal approval from the United Nations Security Council (UNSC). Second, NATO demonstrated the organization's capability to re-assert itself in a post-Cold War environment, but an inability to act without United States political and military support.

In 1998, Serbian forces continued military actions in Kosovo which led to further pressure from the United States and its NATO Allies. President Clinton and European leaders wanted to work through the UN because of the international legitimacy the organization provided. However, Russian veto power in the UNSC limited this option. Without a UNSC approval, NATO became a useful tool to stop the ethnic cleansing. President Clinton along with Secretary of State Albright, and other administration members prepared for United States military action against Serbia through consultation on both the domestic and international arenas. President Clinton consolidated support with the U.S. Congress, and interaction within NATO along with the initiation of UN sanctions. President Clinton and the Allied leadership intentions focused on ending Serbian aggression, establishment of a lasting peace within the region, and enabling the Kosovars the capability for self-government.

Hostilities in Kosovo created the potential for similar military flare-ups along the Kosovo border within Albania, Macedonia, and Montenegro. The international community understood the ramifications of continued hostilities within the Kosovo region at the beginning of 1998. Alliance members, Germany, and France understood fighting in the region could increase refugee flow

problems into their own countries. Increased displacement of Kosovo Albanians, reports of terrorism, and humanitarian crimes conducted by both parties established popular support from the international community to end the conflict.

NATO established a regional process, with international support, for the execution of diplomatic and military action. UN sanctions against the KLA and Serbia preceded the eventual NATO involvement in Kosovo. The Alliance enforced UN sanctions against the KLA and Serbia. On 31 March 1998, the UNSC passed Resolution 1160.⁴⁶ The UNSC's passage of Resolution 1160 was an attempt to end hostilities in Kosovo without military intervention. Under Chapter 7 of the UN Charter, UNSCR 1160 imposed economic sanctions and an arms embargo against the KLA and Serbia. The embargo and sanctions established goals to end KLA attacks, and coerce Serbia into a dialogue with the KLA. UNSCR 1160 established the following four goals: (1) Begin a substantive dialogue between the KLA and the Serbian government; (2) Serbia withdraw special police forces and end military operations against the Kosovo civilian population; (3) Allow access to Kosovo by humanitarian organizations; and lastly, (4) Mission access by the Organization for Security and Cooperation in Europe Chairman-in-Office to address the issues in Kosovo.⁴⁷ Ultimately, these precepts failed to end the conflict. The continued fighting between Serbian and KLA forces led to UNSCR 1199.

On 23 September 1998, the UNSC passed resolution 1199. UNSCR 1199 reiterated the call for the cessation of hostilities between the KLA and Serbian forces. UNSCR 1199 also called for the removal of Serbian forces from the region.⁴⁸ The United States and Alliance countries

⁴⁶Frontline, “A Kosovo Chronology.” Public Broadcasting System, www.pbs.org/wgbh/pages/frontline/shows/kosovo/etc/cron.html (accessed 18 December 2013).

⁴⁷United Nations Security Council, “Resolution 1160 (1998),” 31 March 1998, North Atlantic Treaty Organization, <http://www.nato.int/kosovo/docu/u980331a.htm> (accessed 18 December 2013).

⁴⁸United Nations Security Council, “Resolution 1199,” 25 May 1999, North Atlantic Treaty Organization, <http://www.nato.int/kosovo/docu/u980923a.htm> (accessed 18 December 2013).

received reports of increased humanitarian abuses occurring within Kosovo. The reports included a mix between an increase of displaced persons leaving areas of continued combat within Kosovo and massacres of Kosovar civilians.

NATO members began discussion to use Allied military personnel to end the conflict based on the ongoing humanitarian concerns and destabilization of the region. On the same day UNSCR 1199 passed, U.S. President William J. Clinton stated, “The United States and its allies are moving NATO activities from the planning stage to readiness to act. With more than 250,000 Kosovars displaced from their homes and cold weather coming, Milosevic must act immediately to heed the will of the international community.”⁴⁹ Additionally, NATO Secretary General Solana along with the North Atlantic Council established the NATO position towards the humanitarian crisis. On 24 September 1998, NATO Secretary General Solana, announced the approval of activation warning. Activation warning allowed NATO the use of a limited and phased air campaign in Kosovo.⁵⁰ The failure of the KLA and Serbian forces to adhere to UNSCR 1160 questioned the ability of United States, NATO, and the UN to enforce a cease-fire within the region. The lack of unanimous approval within the UN limited the organization’s potential to approve military operations within the region. NATO members expected Russia, perhaps backed by China, would veto a UN mandate for military action against Serbian forces. The belief stemmed from both China’s and Russia’s position of using military forces against a sovereign state. An approved mandate might provide precedent for outside intervention within their own countries. However, UNSCR 1160 did create a pretext for the application NATO’s military

⁴⁹William J. Clinton: “Statement on the United Nations Security Council Resolution in Kosovo,” 23 September 1998, John Woolley and Gerhard Peters, The American Presidency Project, University of California Santa Barbara, <http://www.presidency.ucsb.edu/ws/?pid=54957> (accessed 18 December 2013).

⁵⁰Javier Solana, “Statement by the Secretary General Following the ACTWARN Decision,” 24 September 1998, North Atlantic Treaty Organization, <http://www.nato.int/docu/pr/1998/p980924e.htm> (accessed 18 December 2013).

forces.⁵¹ The activation warning decision provided a political and military legitimacy for United States and NATO actions within the region.

In October 1998, President Clinton presented “A National Security Strategy For A New Century” of which supported United States involvement in the Kosovo conflict. In Section III, of the NSS, Integrated Regional Approaches, President Clinton mentioned the Kosovo crisis in the United States regional section on Europe and Eurasia. In the NSS, Clinton expressed concern for the ongoing violence and threat to European security and stability within the Kosovo region. The 1998 security strategy emphasized the need for dialogue between the government in Belgrade and the Kosovar leadership; with a focus on a peaceful resolution between the two parties. The policy identified a need to restore human and political rights as set before their removal by the government of Belgrade in 1989. The policy established support for continued United States coordination with NATO to end the violence in the Kosovo region.⁵²

The United States, NATO, and UN political coercion brought President Milosevic to seek a diplomatic route to ending the conflict. Towards the end of October 1998, under the threat of NATO’s activation warning, President Milosevic agreed to reduce Serbian forces, refrain from persecuting the Albanian population, and conduct negotiations for the eventual autonomy of Kosovo. Unarmed international observers from the Organization for Security and Cooperation in Europe were to ensure adherence to the agreement.⁵³ Unfortunately, peace and stability within the region were illusory as reports identified continued Serbian aggression against the Albanian population.

⁵¹Lawrence S. Kaplan, *NATO and the UN: A Peculiar Relationship* (Columbia: University of Missouri, 2010), Location 4320, Amazon Kindle edition.

⁵²William J. Clinton, “A National Security Strategy for a New Century,” 1 October 1998, National Security Strategy Archive, http://nssarchive.us/?page_id=66 (accessed December 18, 2013).

⁵³Department of Defense, *Kosovo and Operation Allied Force After-Action Report - Report to Congress, Ending Serbian Atrocities, Slobodan Milosevic, Complete Review of the Campaign* (CA: Progressive Management, 2013), Location 476, Amazon Kindle edition.

On 15 January 1999, news coverage reported the massacre of 45 Kosovars by Serbian forces in the village of Racak in Kosovo. A day later, President Clinton released a statement condemning the massacre.⁵⁴ These actions set the stage for the eventual involvement of NATO forces in stopping Serbian military operations within the Kosovo region. Kosovar and Serbian leadership conducted peace negotiations until its failure on 19 March 1999.

On 20 March 1999, Serbian forces began Operation Horseshoe. The operation consisted of the expelling/ethnic cleansing of Kosovar Albanians from within Kosovo. Further diplomatic efforts by U.S. Ambassador Holbrooke to the Serbian government failed. The United States and its NATO allies, with no UN mandate began preparation for Operation Allied Force against Serbian targets.⁵⁵ At the outset of Serbian hostilities within the Kosovo region, NATO began limited planning for military operations against Serbia if diplomatic channels failed.

The military and diplomatic action of General Wesley Clark provided a linkage of United States strategic interests with NATO goals within the Kosovo region. NATO military forces, under the command of General Wesley Clark, operated under planning limitations tied directly into domestic and international diplomacy. General Clark's position as Commander of U.S. European Command Europe and the Supreme Allied Commander Europe, left United States, and NATO Allied country military forces under his command.⁵⁶ Clark's command of both United States and NATO military forces improved the communication between countries within the coalition. Effectively, Clark became both a soldier and a diplomat. Clark's diplomatic activities included meetings with Milosevic to remove Serbian troops from Kosovo.⁵⁷ Before Operation

⁵⁴Robert T. Davis II, *U.S. Statecraft: Clinton to Obama* (Unpublished manuscript, 2013).

⁵⁵Department of Defense, *Kosovo and Operation Allied Force After-Action Report*, Location 498.

⁵⁶Wesley K. Clark, *A Time to Lead: for Duty, Honor and Country* (New York, NY: Palgrave Macmillan, 2007), 194.

⁵⁷Ibid., 194.

Allied Force, Clark began limited preparation for military action within the Kosovo region. Clark stated, “Without political authorization to do more, the military planning for use of both American and NATO forces against Serb forces and installations was limited.”⁵⁸ NATO and United States operational plans led to only outlines of force requirements, political goals, and positives and negatives of future operations.⁵⁹

On 22 March 1999, President Clinton acknowledged that President Milosevic had violated UNSCR 1199, as Serbian security forces had continued operations within Kosovo.⁶⁰ Continued Serbian operations provided the pretext for NATO action. As Clinton stated:

I share the view of Chancellor Schroeder that President Milosevic’s proposal is unacceptable. President Milosevic began this brutal campaign. It is his responsibility to bring it to an immediate end and embrace a just peace. There is a strong consensus in NATO that we must press forward with our military action.⁶¹

On 22 March 1999, the North Atlantic Council authorized Secretary General Javier Solana to expand a NATO air campaign in Kosovo to protect the civilian population.⁶² From 24 March to 9 June 1999, NATO conducted Operation Allied Force to end Serbian aggression.⁶³ The United States and European leaders believed Operation Allied Force would quickly end Serbian aggression in Kosovo. The night NATO bombing began Secretary of State Albright stated, “I don’t see this as a long-term operation. I think that is something that is achievable within a

⁵⁸Clark, 207.

⁵⁹Ibid., 203.

⁶⁰William J. Clinton, “Statement on the Situation in Kosovo,” 16 January 1999, John Woolley and Gerhard Peters, The American Presidency Project, University of California Santa Barbara, <http://www.presidency.ucsb.edu/ws/?pid=57500> (accessed 18 December 2013).

⁶¹William J. Clinton, “Statement On a Serbian Proposal to Settle the Situation in Kosovo,” 30 March 1999, John Woolley and Gerhard Peters, The American Presidency Project, University of California Santa Barbara, <http://www.presidency.ucsb.edu/ws/?pid=57328> (accessed 18 December 2013).

⁶²North Atlantic Council, “Statement by the North Atlantic Council On the Situation in Kosovo,” 22 March 1999, NATO, <http://www.nato.int/DOCU/pr/1999/p99-038e.htm>, (accessed 26 March 2014).

⁶³NATO was composed of 19 allied countries during the Kosovo Crisis.

relatively short period of time.”⁶⁴ Out of the 38,000 sorties, over 14,000 of them were strike missions. The United States conducted 70 percent of NATO sorties.⁶⁵ Initially many thought the air campaign would be sufficient, United States and NATO leadership realized future operations could expand to include the use of ground forces. Before and during Operation Allied Force, the potential use of ground forces remained, but the Alliance never conducted ground operations. Operation Allied Force continued sorties against targets within the theater of operations.

Allied targets focused on military radio relay sites, highway bridges, storage sites (fuel, munitions, petroleum), and electrical power for Serbian smelters and refineries.⁶⁶ Each of the identified targets aimed at forcing Serbian forces to cease hostilities and bring them back to the negotiation table. Beginning in April 1999, NATO attacked targets within the Serbian capital city of Belgrade. NATO targets in Belgrade pressured the Serbian government to cease hostilities. The increase of NATO targets beyond the region of Kosovo created discord between NATO members. The discord between NATO members stemmed in part to the potential of collateral damage. As NATO increased air operations within Serbia, the risk of civilian casualties escalated.⁶⁷ NATO’s strategic targets provided greater opportunity to force Serbian forces to end their hostilities, and remove their forces within Kosovo. The strategic targets became a focal point as Serbian ground forces hid from NATO airstrikes.⁶⁸ Striking strategic targets provided less quantifiable results to apply pressure on Milosevic and maintain NATO’s credibility during the

⁶⁴Daalder and O’Hanlon, 91.

⁶⁵Russo, Location1253.

⁶⁶North Atlantic Treaty Organization, “Operation Allied Force: Update, 16 May 1998,” 26 May 2006, NATO, <http://www.nato.int/kosovo/all-frce.htm> (accessed 18 December 2013).

⁶⁷Department of Defense, *Kosovo and Operation Allied Force After-Action Report*, Location 564.

⁶⁸Ibid., 549.

campaign. On 10 June 1999, the UN approved UNSCR 1244 to allow NATO peacekeeping forces to enter Kosovo.⁶⁹

During the Kosovo campaign, the United States shouldered most of the burden for intelligence, logistics, airpower, ordinance, and command and control.⁷⁰ The inability of other Alliance members to shoulder more of the burden reasserted a known weakness of NATO. Operation Allied Force identified major shortfalls in both Allied capabilities and willingness to modernize force structures. The shortfalls in capabilities and modernization of force structures identified by the United States and its NATO allies included failure to establish interoperability of forces between their military forces. NATO alliance members' military contributions failed to equal United States contributions, however, NATO alliance members' provision of contributions included more than military material.

NATO alliance members provided various means to support Operation Allied Force. A combination of PFP and NATO members provided infrastructure, transit and basing access, and military force contributions, in addition to diplomatic support.⁷¹ Allied contributions involved strikes from British, French, and Italian aircraft carriers. In addition, Bulgaria and Romania granted permission to use their airspace to conduct military operations.⁷² The Alliance's combined forces against Serbian targets forced the Serb government to end hostilities within Kosovo.

⁶⁹United Nations Security Council, "Resolution 1244 (10 June, 1999)," 30 June 1999, NATO, <http://www.nato.int/kosovo/docu/u990610a.htm>. (accessed 28 March 2014).

⁷⁰Michta, Location 2209.

⁷¹Department of Defense, *Kosovo and Operation Allied Force After-Action Report*, Location 535.

⁷²Clark, 215.

Conclusion

Kosovo provided a means to re-assert NATO's legitimacy and empowered the organization to improve United States and NATO diplomatic and military strength within the international community. Additionally, NATO members viewed the Alliance as a means to deter ethnic cleansing in Europe when the UN proved to be deficient. United States support to NATO provided a means to enforce stability and peace within a region fraught with historical, ethnic, and cultural divides. NATO and the United States before and during Operation Allied Force further legitimized the U.S.–NATO relationship. During the conflict, NATO's actions in Kosovo exposed shortfalls in diplomacy and military actions.

Operations in the Balkans in the 1990s established precedents for NATO to act out-of-area in a security role not confined to collective defense. During the coming decade, NATO operations in Afghanistan, though premised on the activation of Article 5 guarantee, would dramatically extend the concept of out of area. Ongoing tension between the United States and some European NATO members over United States policy towards the Global War on Terror exacerbated traditional roles with NATO. During the summer of 2008 these tensions were part of the backdrop for a conflict between Georgia and Russia, the latter a member of the PFP program that highlighted the debate over the Alliance's ambitions.

GEORGIA–RUSSIA WAR (2008)

NATO, with the United States support, pushed for expansion into East Central Europe and the Caucasus. NATO's expansion efforts into the East Central European countries contributed to its growth, but additionally contributed to tensions within the region. As NATO expansion came close to the borders of the former Soviet imperium, Russian nationalists became increasingly disgruntled. Any NATO expansion efforts in the Caucasus would conflict with Russian influence. The 2008 Georgia–Russia War, involved Georgia, a member of NATO's PFP program and brought into question the limits of NATO's expansion plans. Even though NATO,

and the United States are obligated to support the organization's Alliance members, NATO's defense obligations do not extend to PFP members. The U.S.–NATO interests in the Georgia–Russia War were three fold: (1) relationship between Russia, Georgia and the secessionists of Abkhazia and South Ossetia; (2) the Russian perceived threat of NATO expansion in East Central Europe and the Caucasus; and (3) the pretext established by NATO's Operation Allied Force campaign. A key factor to the Georgia–Russia War ties to the geographic border and ethnic composition of Abkhazia and South Ossetia.

During the Georgia–Russia War, the United States and its NATO Allies only provided diplomatic support to Georgia. From the outset of the conflict, the United States and NATO Alliance members warned Georgian President Mikheil Saakashvili not to conduct a direct military confrontation with Russia. The primary political representatives in the Georgia–Russia War involved: U.S. President George W. Bush (2001–2009), Georgian President Saakashvili, Russian President Dmitry Medvedev, Russian Prime Minister Vladimir Putin, U.S. Secretary of State Condoleezza Rice (2005–2009), NATO Secretary General Jaap de Hoop Scheffer (2004–2009), French President, and at the time of the war, EU President Nicolas Sarkozy, and Chairman-in-Office of the Organization for Security and Cooperation in Europe, Alexander Stubb.

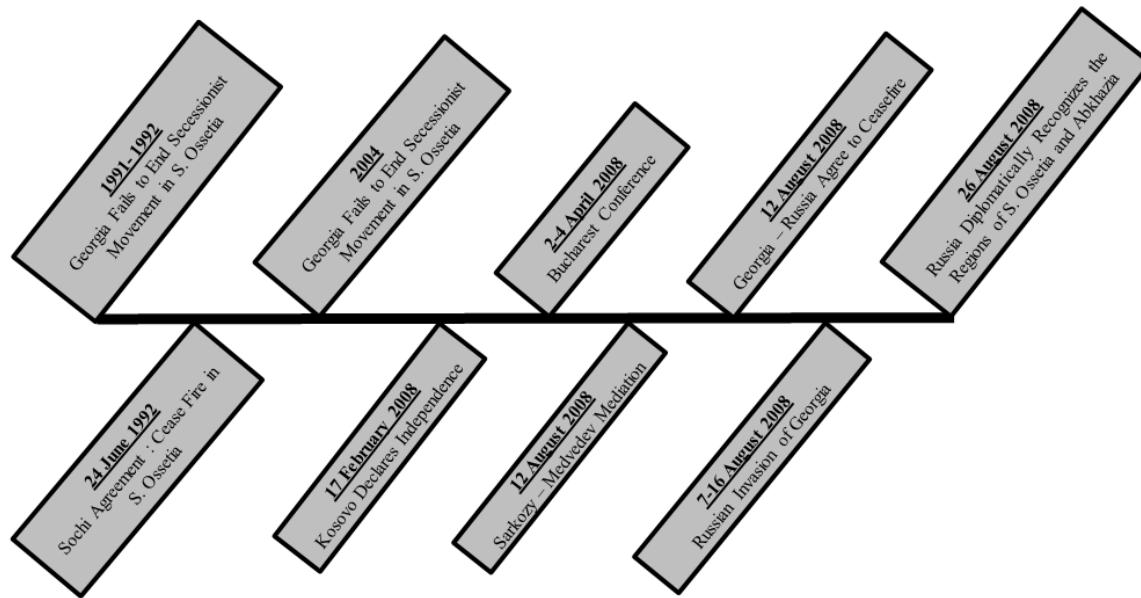


Figure 5. Georgia–Russia War (2008) Chronology

Source: Created by author.

Absent of the centralizing forces of the Soviet Union, the many ethnic groups of the Caucasus region pursued their own agendas. The ethnic South Ossetians and Abkhazians compose the majority of the citizens within the Caucasus. In 1991–1992, 2004, and 2008, Georgia attempted unsuccessfully to end the secessionist movement and re-assert its authority within South Ossetia. Additionally, a 1993 Georgian military offensive in Abkhazia failed.⁷³ Between 1991-1992, Georgia's failed offensive in South Ossetia led to the establishment of the Sochi Agreement.

⁷³Charles King, “The Five Day War: Managing Moscow After the Georgia War,” *Foreign Affairs* (November/December 2008): 2, <http://www.foreignaffairs.com/articles/64602/charles-king/the-five-day-war> (accessed 2 January 2014).

On 24 June 1992, the Sochi Agreement established a cease-fire between Ossetia, Abkhazia and Georgia.⁷⁴ The Sochi Agreement ostensibly created a zone of demarcation between Georgian and Ossetian secessionists. Russian, North Ossetian, and Georgian peacekeepers within this zone enforced the cease-fire. North Ossetian and Georgian forces fell under Russian command. The agreement arranged for the Organization for Security and Co-operation in Europe to monitor and “support nation building through de-securitizing the region.”⁷⁵ While Russo–Georgian cooperation was still possible in 1992, over the course of the decade their respective interests diverged.

After the Rose Revolution in 2003, Georgia explicitly sought closer association with Western Europe. The Georgian government’s pro-West agenda grew as the country attempted to replace the Russian peacekeepers with a multinational force. Georgia’s pro-West political stance negatively affected their relationship with the Russian government.

Once Georgia became a PFP member in 1994, it further complicated the Russo–Georgian relationship. The mechanisms for developing relations between NATO and Georgia involved the NATO–Georgia Commission. The PFP program provided a means to begin Georgia’s potential inclusion into NATO. The development of this relationship for the eventual inclusion of Georgia into NATO became one of several catalysts leading to the 2008 Georgia–Russia War. Part of the process for Georgia to become a full member of NATO involved their initial application to the MAP. The Bucharest Conference set the stage for Georgia’s application into the MAP process.

⁷⁴Republic of George and Russian Federation, “Agreement On Principles of Settlement of the Georgian - Ossetian Conflict (Sochi Agreement),” 24 June 1992, United Nations: Peacekeeper, <http://peacemaker.un.org/georgia-sochi-agreement92> (accessed 1 January 2014).

⁷⁵David J. Galbreath, *The Organization for Security and Co-Operation in Europe* (New York: Routledge, 2007), Location 76, Amazon Kindle edition.

During 2-4 April 2008, NATO held the Bucharest Summit of Heads of State and Government.⁷⁶ The conference agenda incorporated various issues including accepting Georgia's MAP application. The Bush Administration pushed for Georgia's inclusion into MAP at the outset of the conference. From the beginning of the conference, consternation existed with other Alliance members about Georgia's acceptance into the MAP program.⁷⁷ Some Alliance members felt that it was necessary to: (1) Slow down the MAP process for Georgia; (2) Not to upset Russia; (3) Achieve international standards in parliamentary elections; (4) Resolution of conflicts within their territory; and (5) Increase security of countries vulnerable to Russian control of energy into Europe.⁷⁸ Georgia applied for MAP, but NATO failed to approve their induction into the process prior to the Russian invasion.⁷⁹

Prior to the Russian invasion, tensions began to rise from an increase in Russian troops within the region, and to their issuance of Russian passports to Georgian citizens. The issuance of Russian passports amounted “up to ninety percent of the South Ossetia’s population of under 100,000” acquired Russian citizenship.⁸⁰ Additionally, separatist’s increased artillery attacks

⁷⁶“NATO welcomes Ukraine’s and Georgia’s Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO. Both nations have made valuable contributions to Alliance operations. We welcome the democratic reforms in Ukraine and Georgia and look forward to free and fair parliamentary elections in Georgia in May. MAP is the next step for Ukraine and Georgia on their direct way to membership. Today we make clear that we support these countries’ applications for MAP. Therefore we will now begin a period of intensive engagement with both at a high political level to address the questions still outstanding pertaining to their MAP applications. We have asked Foreign Ministers to make a first assessment of progress at their December 2008 meeting. Foreign Ministers have the authority to decide on the MAP application of Ukraine and Georgia.” North Atlantic Council, “Bucharest Summit Declaration,” 3 April 2008, North Atlantic Treaty Organization, http://www.nato.int/cps/en/natolive/official_texts_8443.htm, (accessed 24 February 2014), 23.

⁷⁷Paul Gallis, Congressional Research Service Report for Congress RS22847, *Enlargement Issues at NATO’s Bucharest Summit* (Washington, DC: BiblioGov, 12 March 2008), 1.

⁷⁸Ibid., 5.

⁷⁹George W. Bush, *Decision Points* (New York: Crown, 2010), Location 434, Amazon Kindle edition.

⁸⁰Peter Roudik, “Russian Federation: Legal Aspects of War in Georgia,” The Law Library of Congress, <http://www.loc.gov/law/help/russian-georgia-war.php#t46> (accessed 24 February 2014).

further affected the Georgian position towards Russia, South Ossetia, and Abkhazia. President Mikheil Saakashvili took a hard diplomatic stance against Russia influence within the region. In the event of a Georgia–Russian armed conflict, the United States position, became a position of no military support. Rice told Saakashvili, “Mr. President, whatever you do, don’t let the Russian’s provoke you. You remember when President Bush said that Moscow would try to get you to do something stupid. And don’t engage Russian military forces. No one will come to your aid, and you will lose.”⁸¹ On 8 March 2008, President Bush publicly expressed his concerns for Russian troops moving beyond South Ossetia and Abkhazia into the rest of Georgia. Bush’s public address articulated the United States concern of Russia usurping the Georgian elected government. Bush stated the “Russian government must respect Georgia’s territorial integrity and sovereignty.”⁸²

From 7-16 August 2008, Russia military forces invaded the sovereign territory of Georgia. Before and during the Georgian–Russian War, the United States and NATO provided limited diplomatic support to the Georgian government. Hostilities between the two countries began with South Ossetian separatist’s shelling Georgian peacekeepers and villages. In retaliation, by 7 August, Georgian forces mobilized to the border of Ossetia, along the conflict zone, and eventually attacked secessionists in South Ossetia.⁸³ A Russian troop buildup occurred before the Georgian mobilization. It eventually lead to nearly 20,000 Russian forces invading South Ossetia through the Roki Tunnel.⁸⁴ Georgia claimed their forces intended to liberate the

⁸¹Rice, Location 685.

⁸²George W. Bush, “George W. Bush Remarks on the Situation in Georgia,” 11 August 2008, John Woolley and Gerhard Peters, The American Presidency Project, University of California Santa Barbara, <http://www.presidency.ucsb.edu/ws/index.php?pid=78058&st=&st1=> (accessed 24 February 2014).

⁸³LT Adam R. Heller, *Russia and NATO Enlargement: The Assurances in 1990 and Their Implications*, 12th ed. (Penny Hill Press Inc, 2009), Location703, Amazon Kindle edition.

⁸⁴Ronald D. Asmus, *A Little War That Shook the World: Georgia, Russia, and the Future of the West* (New York: Palgrave Macmillan, 2010), Location 171, Amazon Kindle edition.

region from Moscow. Russia claimed to provide humanitarian assistance to the South Ossetian population due to Georgian aggression. Georgia and Russia both claimed the other started the conflict. Both their actions contributed to the five-day war.⁸⁵

Russia used NATO's Operation Allied Force campaign against Kosovo as a pretext to support their so-called humanitarian position to invade Georgia. NATO supported UNSC resolution approval in 1999, and conducted Operation Allied Force against Serbian targets. NATO rationalized its air campaign due to the region's destabilization, and the Kosovar humanitarian crisis; based on Serbian military aggression towards Kosovo citizens. In February 2008, Kosovo declared their independence.⁸⁶ The United States and 24 other NATO members recognized Kosovo's independence.⁸⁷ The United States and other NATO members' recognition of Kosovo fed Russian fears of Western encroachment on traditional Russian spheres of influence. Russia justified their military action against Georgia based on the NATO Operation Allied Force precedent against Serbia.⁸⁸ Russia challenged the United States and NATO recognition of Kosovo as their efforts supported the Serbs.

The Bush Administration's fear of Russian military aggression occurred during the President's attendance at 2008 Beijing Olympics. In August 2008, much of the world's leadership, including President Bush, were attending the Beijing Olympics. Due to the Olympics, international response was delayed in reacting to the Russian invasion of Georgia. As the Russian invasion of Georgia began the U.S.-NATO diplomatic stance remained the same throughout the war. NATO leadership pledged diplomatic support, but no support of Alliance military forces.

⁸⁵Heller, Location 703.

⁸⁶NATO, "NATO's Role in Kosovo."

⁸⁷Global Security.org, "Kosovo - Foreign Relations," 2014. <http://www.globalsecurity.org/military/world/europe/ks-forrel.htm> (accessed 30 March 2014).

⁸⁸Asmus, 99.

The United States and NATO leadership did provide public condemnations of the Russian invasion of Georgia, but conceded their involvement to other organizations. The mediation of the Russia–Georgia War was carried out largely under EU, Organization for Security and Cooperation, and United States leadership.

Bush assisted diplomatic efforts through Sarkozy and the EU. Additionally, Bush provided relief supplies by military aircraft, and committed to reestablish the capabilities of the Georgian military.⁸⁹ In 2008, the United States pledged a billion dollars in aid to Georgia.⁹⁰ Secretary of State Condoleezza Rice maintained United States diplomatic and economic support towards Georgia. Due to the stress on United States military capabilities, as forces conducted operations in Afghanistan and Iraq, there was no direct United States military support for Georgia. The Bush Administration's actions mirrored NATO's position towards the Georgian–Russian War.

The NATO Secretary General orchestrated NATO's muted response. On 12 August, 2008, De Hoop Scheffer announced after a meeting of the 26 plus one (the 26 allies plus Georgia) that any PFP member could call a North Atlantic Council meeting. The first focus of the council involved a cessation of hostilities between the combatants. In the meeting, Georgia supported a cease-fire agreement with the Russians. The North Atlantic Council encouraged the Russians do the same. The cease-fire did not work. NATO members pushed for a *status quo ante bellum*, meaning a return to the geographic position of each country as of 6 August.⁹¹ NATO diplomacy emphasized mediation but not the application of Alliance military forces within South Ossetia

⁸⁹Bush, *Decision Points*, Location 434.

⁹⁰Robert Siegel, “Georgian President on U.S. Aid, Nuclear Summit,” 12 April 2010, NPR, <http://www.npr.org/templates/story/story.php?storyId=125866569> (accessed 24 February 2014).

⁹¹Jaap de Hoop Scheffer, “Press Point, by NATO Secretary General, Jaap de Hoop Scheffer following the meeting of the North Atlantic Council on the Situation in Georgia,” 12 August 2008, North Atlantic Treaty Organization, <http://www.nato.int/docu/speech/2008/s080812e.html> (accessed 24 February 2014).

and Abkhazia. De Hoop Scheffer admitted there is no role for NATO beyond mediation between Russia and Georgia. De Hoop Scheffer heavily emphasized the use of diplomacy by EU President Sarkozy and the Organization for Security and Cooperation. Additionally, De Hoop Scheffer pointed out the aim for future discussion within the NATO-Russia Council, and their excess use of Russian forces against Georgia.⁹² Overall, NATO openly supported Georgia under the auspices of the Bucharest Conference, the suspension of the NATO–Russia Council, but offered no military support.⁹³

The EU, under the leadership of Sarkozy, coordinated the talks between Russia and Georgia for the establishment of a cease-fire agreement. In Moscow on 12 August 2008, Sarkozy met with Medvedev and Putin to begin mediation to end the war. Sarkozy lacked the leverage to support the EU's position. Sarkozy stated, “We wanted to stop their Army. That was our purpose, our goal. And in order to stop [Russian] Army, we had to accept that they [Russia] are the winners in Abkhazia and South Ossetia but then [ask them to] stop the movement of their armed forces.” Sarkozy and Medvedev agreed on the terms for a cease-fire. The United States, fearing that Russian forces would attack Tbilisi, the Georgian capital, the Bush Administration supported the agreement. On 12 August 2008, Georgia and Russia agreed to a ceasefire.⁹⁴

Russian forces continued to occupy South Ossetia and Abkhazia. On 26 August 2008, Russia diplomatically recognized the independence of each region.⁹⁵ Russia's military and

⁹²The NATO–Russia Council, formed in 2002, created a forum to improve Alliance and Russian relations.

⁹³Scheffer.

⁹⁴Asmus, 205-214.

⁹⁵Medvedev comments: “they (South Ossetia and Abkhazia) addressed to Russia with a request to recognize their independence. Taking into the consideration the free will of the peoples, the UN Charter and OSCE documents, I have signed decrees to recognize the independence of South Ossetia and Abkhazia on behalf of the Russian Federation. This is the only way to save people's lives.” Heller, Location 703, Amazon Kindle edition.

diplomatic actions contradicted the cease-fire agreement signed by the Russian and Georgian governments. Russia's action further re-asserted their influence within the Caucasus.

Conclusion

The Georgia–Russia War, in part, questioned the Alliance's ability to provide an ever expanding security umbrella. Since the late 1990s, the United States and NATO have pushed for the expansion of the Alliance. The inclusion of post-Soviet states into NATO changed the organization's outlook and identity. During the Bucharest Summit, Georgia submitted their MAP application for NATO. The NATO Secretary General announced Georgia as a future NATO member, but NATO denied their application to the program. NATO's denial of Georgia's MAP application stemmed from an uneven state of the country's ongoing democratic reforms, and diplomatic pressure from Russia.

The Georgian–Russian War may affect future NATO membership from post-Soviet countries in three ways. First, East European countries remain concerned with Russian influence within the region. Second, the lack of NATO's military backing towards Georgia can shift potential Alliance applicants away from NATO membership. The United States and NATO's expansion efforts directly link to NATO's willingness to support Georgia, and other PFP members in times of crisis. Lastly, Russia's invasion of Georgia may also push other post-Soviet states toward NATO membership. East European countries could also become eager to secure NATO membership so they are not isolated by Russia. NATO is the primary military force for stability and security within Europe.

Without NATO expansion some countries might question NATO's legitimacy as a security guarantor. The United States interests are to maintain relations with Russia due to their regional and global influence. Compared to Russia, the United States has less incentive for relations with Georgia, however, Georgia does meet NATO's goal for continued expansion into the Caucasus. Therefore, it is important for the United States to maintain good relations with both

Russia and Georgia. NATO's failure to accept Georgia as a MAP applicant hindered United States national interests. Expansion of NATO creates potential for expanded United States influence within NATO; increased basing and infrastructure for U.S.-NATO military forces; and diplomatic influence within the region. The United States unilateral action without NATO may potentially harm relations with European states. The United States military and diplomatic actions through NATO provide access to potentially closed geographic environments.

LIBYA: OPERATION UNIFIED PROTECTOR (2011)

The 2010 Arab Spring social movement ignited the discontent of civilian populations within various Arab states.⁹⁶ Human rights violations affected the population in a number of Arab countries. A 2008 Arab Organization for Human Rights report mentioned a number of countries known for torturing civilians considered threats against the state; such as Syria, Egypt, Tunisia and others.⁹⁷ The Arab Spring started in Tunisia during December 2010. Soon after Tunisia, the countries of Egypt, Algeria, Yemen, Libya, and Syria experienced similar demonstrations.⁹⁸ The Libyan uprising differed from Tunisia, as a civil war broke out between the Gaddafi regime and those disaffected with the regime.

⁹⁶James L. Gelvin, *The Arab Uprisings: What Everyone Needs to Know* (Oxford: Oxford University Press, 2012), 4.

⁹⁷Ibid., 5.

⁹⁸Ibid., 27.

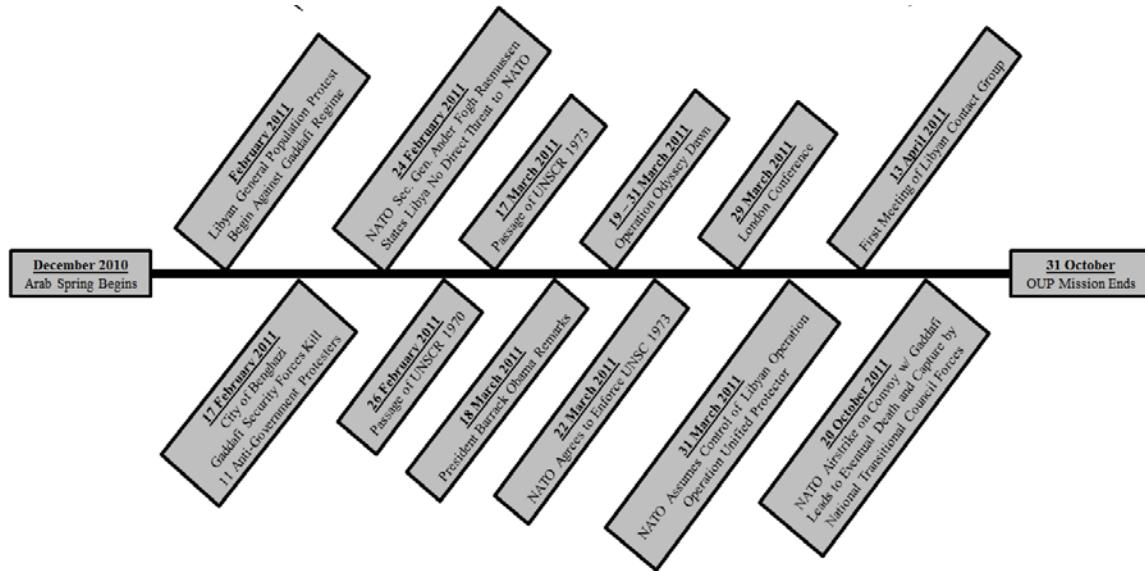


Figure 6. Libya (2011) Chronology

Source: Created by author.

Beginning in February 2011, elements of the Libyan population initiated protests against the regime of Muammar al-Gaddafi. On 17 February 2011, in the eastern Libyan city of Benghazi, Gaddafi's security forces killed 11 anti-government protesters. The killing of the anti-government protesters acted as a catalyst for increased protests against the Gaddafi regime. Additional protests occurred in Benghazi due to the arrest of a lawyer representing family members of missing prisoners of Abu Salim Prison.⁹⁹ The uprising soon spread west into Tripoli, Libya's capital. Libyan forces escalated the conflict by firing live ammunition against the protestors. The demonstrations soon changed from civil disobedience to civil war. Libyan security forces violently ended protests in Tripoli and began a campaign to end the rebellion.

Gaddafi's attacks against his own civilian population raised the ire of the international community, leading some to invoke R2P. Under the concept of R2P, the Libyan government's

⁹⁹Gelvin, 80.

targeting of the civilian population meant the international community should intervene to protect the Libyan population against attack. The international community's involvement in Libya stemmed from R2P tenets and the effect on Europe. The affects of the Libyan crisis on Europe involved refugees crossing the Mediterranean into Europe, fear of unobstructed growth of terrorist organizations, and delays or stoppages in oil production to Europe.¹⁰⁰ Gaddafi's use of excessive force against the Libyan population promoted an international response to pre-empt a humanitarian crisis.¹⁰¹

NATO, UN, African Union, Organization of the Islamic Conference, League of Arab States, and individual states held Gaddafi's regime in violation of the R2P concepts. In the, "Address to the Nation on the Situation in Libya," U.S. President Barrack Obama stated:

Confronted by this brutal repression and a looming humanitarian crisis, I ordered warships into the Mediterranean. European allies declared their willingness to commit resources to stop the killing. The Libyan opposition and the Arab League appealed to the world to save lives in Libya. And so at my direction, America led an effort with our allies at the United Nations Security Council to pass a historic resolution that authorized a no-fly zone to stop the regime's attacks from the air, and further authorized all necessary measures to protect the Libyan people.¹⁰²

U.S. Operation Odyssey Dawn and NATO's Operation Unified Protector took action to protect the Libyan population. Both operations were characterized as justified and an invocation of R2P. The focus for United States and NATO operational goals in Libya shifted between protecting the Libyan population from the Gaddafi regime to changing the regime. Members of the international

¹⁰⁰ Andreas Gorzewski, "The EU's Libyan Headache Is Growing Worse," 16 November 2013, Deutsche Welle, <http://www.dw.de/the-eus-libyan-headache-is-growing-worse/a-17231310> (accessed 2 March 2014).

¹⁰¹ International Coalition for the Responsibility to Protect, "The Crisis in Libya," ICR2P, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya> (accessed 9 February 2014).

¹⁰² Barack Obama, "Address to the Nation on the Situation in Libya," 28 March 2011, John Woolley and Gerhard Peters, The American Presidency Project, University of California Santa Barbara, <http://www.presidency.ucsb.edu/youtubeclip.php?clipid=90195&admin=44> (accessed 2 March 2014).

community questioned Operation Unified Protector's targeting of Gaddafi forces.¹⁰³ Operation Unified Protector's connection to R2P became prevalent based on the UN's acceptance of UNSCR 1970 and 1973. UNSCR's 1970 and 1973 were passed to protect the Libyan population and not for a regime change.

The UN's initial response to Gaddafi's security force attacks on civilian targets developed from UNSCR's 1970 and 1973. On 26 February 2011, the UNSC adopted Resolution 1970 in response to the Gaddafi regime's violence against the Libyan population. UNSCR 1970 identified the international community's concerns about the violence within Libya. It also authorized the dispatch of an independent commission to identify any humanitarian violations. Additionally, UNSCR 1970 focused on an end to the violence, supporting humanitarian rights and assistance, referral of humanitarian violations to the International Criminal Court, an arms embargo, asset freeze, and a travel ban. UNSCR 1970's asset freeze, and travel bans specifically focus on members of the Gaddafi regime.¹⁰⁴ The UN's first resolution in reaction to the violence in Libya failed, and led to the passage of UNSCR 1973.

On 17 March 2011, the UNSC adopted Resolution 1973, which cited the failure of UNSCR 1970 to end the Libyan violence and the international community's commitment of support to the Libyan population. UNSCR 1973 authorized military intervention to "take all necessary measures, to protect civilians and civilian population areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of the Libyan territory."¹⁰⁵ Additionally, UNSCR 1973 authorized the creation

¹⁰³ICR2P, "The Crisis in Libya."

¹⁰⁴United Nations Security Council, "Resolution 1970 (2011)," 26 February 2011, United Nations, [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1970\(2011\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1970(2011)) (accessed 8 February 2014).

¹⁰⁵United Nations Security Council, "Resolution 1973 (2011)," 17 March 2011, United Nations, [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973\(2011\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973(2011)) (accessed 9 February 2014).

of a no-fly zone, and the continued enforcement of the arms embargo. UNSCRs 1970 and 1973 focused on ending the violence, identifying those responsible for crimes against humanity, and protecting the Libyan population.¹⁰⁶ The United States involvement in Libya stems from the country supporting Allied and international action in Libya, but also pressure within President Obama's Administration. Secretary of Defense Robert M. Gates stated in his book, *Duty: Memoirs of a Secretary of War*, that:

UN Ambassador Susan Rice and National Security Strategy staffers Ben Rhodes and Samantha Power urging aggressive United States action to prevent an anticipated massacre of the rebels as Gaddafi fought to remain in power. Power was Pulitzer Prize – winning author, an expert on genocide and repression, and a strong advocate of the “responsibility to protect,” that is, the responsibility of civilized governments to intervene – militarily, if necessary – to prevent the large – scale killing of innocent civilians by their own repressive governments.¹⁰⁷

The United States led Operation Odyssey Dawn established an international means to support UNSCR 1973 edicts. From 19-31 March, the United States led Operation Odyssey Dawn against the Gaddafi Regime's forces. Under the command of U.S. Africa Command, Odyssey Dawn established a no-fly zone and an arms embargo as stipulated in UNSCR 1970.¹⁰⁸ On 18 March 2011, President Barrack Obama stated members of the international community would enforce UNSCR 1973, “We will provide the unique capabilities that we can bring to bear to stop the violence against the civilians, including enabling our European allies and Arab partners to effectively enforce a no-fly zone.”¹⁰⁹

The United States led the coalition of 15 countries; to include members from the Arab League, which provided a base line for the eventual transition of operations to the NATO led

¹⁰⁶United Nations Security Council, “Resolution 1973.”

¹⁰⁷Robert M. Gates, *Duty: Memoirs of a Secretary at War* (New York: Knopf, 2014), 517-518.

¹⁰⁸Department of Defense, *Libya's Operation Odyssey Dawn: Analysis of the American Military Operation, Removal of the Gaddafi Regime, NATO's Air War, Command and Control Issues, Responsibility to Protect (R2P)* (Progressive Managemnet, 2013), 81.

¹⁰⁹Ibid.; Obama, “Address to the Nation on the Situation in Libya.”

Operation Unified Protector.¹¹⁰ The United States established a command structure, and logistical network to support the operation. U.S. Secretary of War Robert Gates approved movement of Air Force capabilities to German and Italian bases in addition to naval assets to the Mediterranean.¹¹¹ Just as the United States provided significant men and material to Odyssey Dawn, the United States depended on the basing and infrastructure within European countries to support the execution of the operation.

Regarding involvement in Libya, the United States leadership feared that the country's involvement in another Arab country might potentially damage the legitimacy of the operation. The United States looked for alternatives for legitimacy within the NATO alliance. In 2011, the United States military sustained its operations in Iraq and Afghanistan. The United States continued military support in Iraq through Operation New Dawn. The United States military efforts in Afghanistan simultaneously supported Operation Enduring Freedom (United States operation) and the International Security Assistance Force (NATO operation). On March 31, NATO took control of the operation under the auspices of Operation Unified Protector.

NATO's Operation Unified Protector provided a means for the international community to carry out R2P in order to protect the Libyan population from the Gaddafi regime. Beginning 22 March 2011, NATO agreed to enforce UNSCR 1973. On 31 March, NATO's Operation Unified Protector took full control of all military operations within Libya.¹¹² To maintain NATO's legitimacy, international support, and pressure on the Gaddafi regime, the organization developed a strong diplomatic stance along with military operations. The primary actors associated with NATO and United States efforts during Operation Unified Protector included President Barack

¹¹⁰Department of Defense, *Libya's Operation Odyssey Dawn*, 66.

¹¹¹Gates, 512.

¹¹²Florence Gaub, *The North Atlantic Treaty Organization and Libya: Reviewing Operation Unified Protector* (PA: SSI, 2013), Location 2, Amazon Kindle edition.

Obama (2005-present), NATO Secretary General Ander Fogh Rasmussen (2009-present), NATO Supreme Allied Commander Europe Admiral James Stavridis (2009-2013), NATO Operation Unified Protector Commander General Charles Bouchard, Contact Group, Prime Minister David Cameron (2010-present), Muammar Gaddafi (1969-2011), and the Libyan Transitional Council as representatives for the Libyan rebels.

United States diplomatic efforts to support UNSCR 1973 continued after the country's transfer of operations to a NATO-coalition. Obama stressed the continuance of United States support through intelligence, logistics, search and rescue, and jamming of the regime communication network.¹¹³ Operation Odyssey Dawn's transition from United States control to NATO received greater prevalence in the international community's London Conference. On 29 March 2011, the London Conference provided the initial international forum to establish political and military intervention to protect the Libyan population.¹¹⁴

The London Conference discussed the protection of the Libyan population, humanitarian needs for Libya, and the means of military action to support UNSCR 1973. U.S. Secretary of State Hillary Clinton spoke of the two approaches used by the international community to support UNSCR 1973. Clinton acknowledged the transition to the NATO-led military track, and the need to maintain a non-military approach to end the violence. Clinton stated there were three non-military tracks, "First, delivering humanitarian assistance; second, pressuring and isolating the Gadhafi regime through robust sanctions and other measures; and third, supporting efforts by Libyans to achieve the political changes that they are seeking."¹¹⁵ Additionally, coalition

¹¹³Obama, "Address to the Nation on the Situation in Libya."

¹¹⁴Hillary Rodham Clinton, "Remarks After the International Conference On the Libyan Crisis," 29 March 2011, U.S. Department of State, <http://www.state.gov/secretary/20092013clinton/rm/2011/03/159327.htm> (accessed 25 February 2014).

¹¹⁵Ibid.

attendees agreed to launch a political forum, called the Contact Group. The Contact Group's formation acted as a coordination tool to assert the principles stipulated in UNSCR 1970 and 1973.¹¹⁶ The London Conference set the first Contact Group meeting in Doha, Qatar.

On 13 April 2011, the Libyan Contact Group met for the first time in a concerted effort from the international community to protect the Libyan population. The Libyan Contact Group meeting involved, "twenty-one countries and representatives from the United Nations, the Arab League, North Atlantic Treaty Organization, the EU, the Organization of the Islamic Conference and the Cooperation Council for the Arab Gulf States." The meeting focused on support through being "a major point of contact with the Libyan people, coordinate international policy and be a forum for discussion of post-conflict humanitarian support." The Contact Group concluded that Gaddafi had lost his legitimacy and should step down as leader of the Libyan people.¹¹⁷

The Contact Group's policy towards Gaddafi created uncertainty for NATO's conduct of Operation Unified Protector. The Contact Group's call for Gaddafi to step down identified a fault among the members of the international community, and their end state for the Gaddafi regime. The fault in the Gaddafi regime removal lay with the international community's political and military end state. The UNSC initially identified the Libyan intervention as a means to protect the civilian population. Yet, political efforts of the international community changed from protection to the removal of the Gaddafi regime. The lack of political consensus towards Libya affected legitimacy of NATO's Operation Unified Protector mission. The African Union originally proposed a roadmap to end the Libyan violence through political means. In April, the African

¹¹⁶Hillary Rodham Clinton, "Remarks After the International Conference On the Libyan Crisis."

¹¹⁷United Nations Security Council, "Security Council Report, Letter Dated 14 April 2011 from the Representatives of Qatar and the United Kingdom of Great Britain and Northern Ireland to the United Nations Addressed to the President of the Security Council," 25 February 2014, Security Council Report. <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%202011%20246.pdf> (accessed 25 February 2014).

Union created a ceasefire agreement, and the provision of humanitarian aid. The Libyan Transitional Council rejected the agreement as the proposal failed to push for the removal of Gaddafi.¹¹⁸ The Obama Administration supported NATO's position for the removal of Gaddafi as the Libyan head of state. The United States politically supported the UNSCR 1973, but also advocated the removal of Gaddafi. The African Union's position provided an example of varying international entities' conflict with NATO's mission.¹¹⁹

On 24 February 2011, NATO Secretary General Rasmussen had made it clear that Libya constituted no direct threat to the NATO Alliance. Rasmussen further clarified, "NATO as such has no plans to intervene. We have not received any request in that regard and any actions should be based on a UN mandate."¹²⁰ However, the Libyan crisis affected the safety and security of some NATO member states within the immediate region.¹²¹ The next day, Rasmussen called an emergency North Atlantic Council to discuss ways to "help those in need and limit the consequences of these events."¹²² Less than a month later NATO undertook Operation Unified Protector. As NATO's political apparatus, the North Atlantic Council with the NATO Secretary General provided political guidance to align the organization's military capabilities consonant with the UN resolution. As Operation Unified Protector started, NATO recognized the Libyan

¹¹⁸Richard A. Goodman, *Operations Odyssey Dawn and Unified Protector: A Coercive Failure?* (Damascus, MD: Penny Hill Press, 2012), Location 435, Amazon Kindle edition.

¹¹⁹Gentian Zyberi, ed., *An Institutional Approach to the Responsibility to Protect* (New York: Cambridge University Press, 2013), 238-241.

¹²⁰Anders Fogh Rasmussen, "NATO Secretary General's Statement On the Situation in Libya," 24 February 2011, North Atlantic Treaty Organization, http://www.nato.int/cps/en/natolive/news_70790.htm (accessed 25 February 2014).

¹²¹Glen Segell, *NATO and Libya 2011* (London Security Policy Study) (London: Institute of Security Policy, 2013), Location 13, Amazon Kindle edition.

¹²²Anders Fogh Rasmussen, "NATO Secretary General Convenes Emergency Meeting of the North Atlantic Council," 25 February 2011, North Atlantic Treaty Organization, http://www.nato.int/cps/en/natolive/news_70800.htm (accessed 25 February 2014).

Transitional National Council, had no formal contact between the entities.¹²³ Rasmussen proffered support to the UN for a political resolution with the Alliance military enforcement of UNSCR 1973.

Operation Unified Protector with support from state actors and organizations led an international military effort to stop the violence against the Libyan population. From 31 March to 31 October, most Allied contributions came from the United States, France, Great Britain, Italy, Canada, Norway, Sweden, and Belgium.¹²⁴ NATO's Joint Force Command Naples, under the command of Lieutenant General Charles Bouchard (Canadian), led the Operation Unified Protector mission.¹²⁵ In accordance with UNSCR 1973, Operation Unified Protector focused on protecting the civilian population, the enforcement of the no-fly zone, and enforcing the embargo. NATO emphasized, “no troops from NATO Command were used on the ground at any point during Operation Unified Protector.”¹²⁶ NATO's lack of troops on the ground met the criteria set in UNSCR 1973. However, NATO's mission did not detract from state actor's provision of personnel and capabilities to Libyan rebel forces. Reports revealed that Special Operation Forces from Qatar, France, Britain, and the United States enabled Libyan rebel force operations.¹²⁷ Operation Unified Protector's mission precepts focused on enforcing UNSCR 1973, yet adapting to political pressure for Gaddafi's removal as head of state.

UNSCR1973's intention to protect the Libyan population from Gaddafi security forces established Operation Unified Protector's baseline mission. Before the beginning of Operation

¹²³Segell, Location 109.

¹²⁴Gaub, Location 7.

¹²⁵Ibid., Location 268.

¹²⁶North Atlantic Treaty Organization, “NATO and Libya,” last modified 28 March 2012, NATO, http://www.nato.int/cps/en/natolive/topics_71652.htm (accessed 25 February 2014).

¹²⁷Vijay Prashad, *Arab Spring, Libyan Winter* (Baltimore: AK Press, 2012), Location 224, Amazon Kindle edition.

Unified Protector, Operation Odyssey Dawn through largely United States capabilities neutralized the Libyan air defense system.¹²⁸ During the first 11 days of the operation, the United States spent \$550 million with a promise of \$40 million each month thereafter to the operation.¹²⁹ The concept of protecting the Libyan population or rebel forces tied directly into the implementation of the no-fly zone. The destruction of the Libyan air defense system allowed for the protection of the civilian population, and implementation of the no-fly zone. During Operation Unified Protector's air campaign, attacks originally targeted the regime's capabilities and not the directly the regime.

Operation Unified Protector's initial protection of the population now included open support to Libyan rebel forces. On 7 April, Lieutenant General Bouchard stated the, "mandate is very clear, protecting the civilian population and population centers against attack from Libyan forces."¹³⁰ Between March and June of 2011, Gaddafi's forces increased attacks against civilian population centers and rebel forces. During this same period, NATO and the Libyan Transitional Council turned down all cease fire agreements not including Gaddafi's removal from power.¹³¹ Operation Unified Protector shifted from the protection Libyan citizens to targeting the regime.

The development of NATO targets against the Gaddafi regime created a controversy of Operation Unified Protector's mission in Libya. Military intervention in Libya originally focused on the protection of the Libyan population from a humanitarian crisis. NATO's Operation Unified Protector mission became muddled as their focus shifted from protecting the population to the overthrow of the Libyan government. Russia believed the humanitarian mission was a deception,

¹²⁸Gaub, Location 89.

¹²⁹Gates, 521.

¹³⁰CBC News, "Lt Gen Charles Bouchard On NATO Mission in Libya," 7 April 2011, YouTube, <http://www.youtube.com/watch?v=O1XdYivPko0> (accessed February 25, 2014), video, 8:19.

¹³¹Goodman, Location 465-466.

especially as NATO targets within Libya grew with no identified limits.¹³² Members of the international community maintained reservations about NATO's targeting of the Gaddafi regime. However, NATO's military track continued as alliance air operations increased within Libya. Joint Force Command Naples led the Operation Unified Protector effort through plans, and preparation for the Libyan mission. Supreme Allied Commander Europe Stavridis focused the initial no-fly zone along the coastal areas of Libya. Supreme Allied Commander Europe determined the no-fly zone along the coast covered 80 percent of the civilian population.¹³³

By mid-September 2011, Libyan rebels controlled most of the country with the exception of several Gaddafi strong points. On 20 October, a NATO airstrike struck Gaddafi's convoy leading to his eventual death from the Libyan rebel forces. NATO focused airstrike's on all convoys posing a threat to civilians. Secretary General Rasmussen stated, "Colonel Gaddafi nor any other individual have been targets of our operations."¹³⁴ Two days later Libyan rebels declared Libya's liberation from Gaddafi regime. Soon after, on 31 October, the Operation Unified Protector mission ended.¹³⁵

During the operation Alliance shortfalls necessitated increased United States support to maintain the air campaign. Fears of United States removal of air capabilities affected, in part, the belief of whether NATO could support the operation. Every NATO nation voted for the organization's involvement in Libya, but Gates stated:

Just half provided some kind of contribution and only eight actually provided aircraft for the strike mission. The United States ultimately had to provide the lion's share of

¹³²Gates, 529.

¹³³Ibid., 515.

¹³⁴Anders Fogh Rasmussen, *Press Conference by NATO Secretary General On the Latest Developments in Libya and Operation Unified Protector*, 21 October 2011, North Atlantic Treaty Organization, http://www.nato.int/cps/en/natolive/opinions_79807.htm (accessed 9 February 2014).

¹³⁵Segell, Location 339.

reconnaissance capability and most of the midair refueling of planes; just three months into the campaign, we had to resupply even our strongest allies with precision-guided bombs and missiles – they had exhausted their meager supply.¹³⁶

Gates' position supports the ongoing issue of contributions within the NATO alliance.

Operation Unified Protector provides an example of success and failure concerning NATO operations. Militarily the Alliance success in Libya assisted in ending the Gaddafi regimes targeting of the Libyan population and growing humanitarian crisis within the country. However, the failure of United States allies to contribute and the NATO member consternation within the alliance demonstrated organizational weakness.

Conclusion

Operation Unified Protector lasted 204 days, captured 3,124 vessels in the Mediterranean through an embargo, completed 26,323 sorties (9,658 strike sorties) and delivered military supplies to rebels but also from states to rebels. Individual states supported the Libyan Transitional Council via structure, resources, and communications from small teams of military advisors.¹³⁷

Operations in Libya exposed enduring weaknesses in NATO that existed during the Cold War: (1) Lack of military capabilities with non-U.S. NATO members; (2) Failed consensus within the Alliance towards NATO military action; and (3) Question of NATO's purpose in a post-Cold War environment pertaining to the organization's legitimacy. During Operation Unified Protector, Allied contributions to military action were limited to state commitments to the operation. The NATO organization continues to grow albeit with operational limitations. These limitations hinder, or slow NATO's efforts to build and maintain the political and military apparatus. For instance, although operational authority for Operation Unified Protector

¹³⁶Gates, 528.

¹³⁷Gaub, Location 58.

transitioned from the United States to NATO, the United States remained as the primary actor within Operation Unified Protector. Operation Unified Protector needed United States logistical, reconnaissance, and operational support to conduct the mission. Furthermore, NATO Alliance members' limited military participation showed a lack of organizational consensus. The primary efforts of six countries allowed the organizational capability for Operation Unified Protector's mission.

The issue of NATO actions outside Europe and with a non-NATO member created a lack of consensus within the Alliance and their willingness to support operations. All 28 NATO members voted for NATO involvement, but contributions for Alliance members did not reflect in NATO's decision to participate in Libya. NATO's Operation Unified Protector commitment to enforce UNSCR 1973 identified NATO as one of the few organizations capable of supporting the resolution. The failure of military and political commitment to the operation showed NATO's weakness in unified support for any operation. NATO targeting of Gaddafi forces, to protect the population or to enact regime change created part of the dissension within the organization. In essence, NATO lost some credibility as an organization with one voice, once cause. NATO's Operation Unified Protector mission did identify strengths within the organization.

Through Operation Unified Protector, NATO showed: (1) Operation Unified Protector as an international effort to enforce R2P and UN humanitarian efforts; (2) Operation Unified Protector succeeded in protecting the Libyan population; and (3) NATO's relationship between the United States, alliances and great powers evolved from the Cold War Era. Operation Unified Protector, as an international effort, enforced R2P and UN humanitarian efforts for UNSCR 1973. R2P requires international participation for a humanitarian crisis. NATO achieved legitimacy by protecting the Libyan population through the application of military force. The United States benefited politically and militarily from leveraging NATO to avoid unilateral action in response to an R2P operation.

In six months, Operation Unified Protector protected the Libyan population by air strikes against Gaddafi forces. Operation Unified Protector's mission mandate stemmed from UNSCR 1973. Politically, NATO served as the go-between with the UN to direct and guide the Alliance's force capabilities. Another strength within Operation Unified Protector is NATO's involvement within the organization and outside actors. NATO continues to evolve and change with weaknesses and strengths changing within the organization's evolution. The United States gains from the legitimacy of the organization, provision of alliance state infrastructure to support United States military capabilities, and United States international influence exerted within the Alliance. Overall, the United States, NATO relationship during Operation Unified Protector strained due to lack of unified contributions within the Alliance, but successfully integrated the organization's actions outside the Cold War definition of collective security to support an international cause.

CONCLUSION AND RECOMMENDATIONS

In order for the United States to maintain its security and position as a global power, it will need to dedicate itself to continued viability of NATO. The three case studies with U.S.–NATO involvement in Kosovo (Operation Allied Force), Georgia, and Libya (Operation Unified Protector) provided context to the contemporary relationship. The evolution between the United States and NATO during the periods of Kosovo (1998-1999), the Georgia–Russia War (2008), and Libya (2011) shows an increased relationship with limited gains to United States legitimacy. The relationship increased geographic access for United States political and military action. Lastly, it further showed a lack of equity in Allied burden sharing.

Operation Allied Force in Kosovo further developed the U.S.–NATO relationship into a mission beyond collective security against Soviet military aggression. Operation Allied Force conducted diplomatic and military actions for the Kosovo region, a non-NATO member, without the approval of the UNSC, and for humanitarian intervention. During Operation Allied Force, as

the primary military contributor, the United States led the air campaign to end the Serbian aggression within Kosovo. Operation Allied Force provided a means for the United States and NATO to reframe their relationship and mission beyond the Soviet threat. With the collapse of the Soviet Union, the United States remained as the only world superpower. NATO provided collective security against a non-existent Soviet threat in Europe. Kosovo's humanitarian intervention allowed the United States and NATO to evolve in a new global order.

The United States, as the sole world super power, increased its legitimacy through the conduct of Operation Allied Force. The United States post-Cold War position allowed for unfettered diplomatic and military influence throughout the world. Yet, the United States maintained a majority of NATO's military capabilities, and funding. The United States continued maintenance, and intervention in Kosovo re-established NATO's legitimacy as it focused on a joint/multinational environment to avert a humanitarian crisis. During the Kosovo crisis, the United States led in contributions and diplomatic pressure against Serbian aggression.

The weakness of the U.S.–NATO relationship during Operation Allied Force stemmed from burden sharing within NATO, and the interoperability between Alliance forces. Alliance members' issues suffer from their military capabilities and restructuring shortfalls to support Article V and non-Article V operations.¹³⁸ NATO's Operation Allied Force mission showed the in-balance of contributions and maintained an appearance of United States dominance in the organization. Additionally, Operation Allied Force identified problems of interoperability of allied force capabilities, and command and control within NATO. The U.S.–NATO relationship continued to seek improvement of organizational issues identified in Operation Allied Force and expands into regions previously controlled by the Soviet Union. During Kosovo, United States influence dominated the international political and military global landscape.

¹³⁸Ek, 4.

Nine years after Kosovo, United States diplomatic and military influence in NATO reflected this change. Those nine years encompassed two United States presidential administrations, and NATO efforts to expand organizationally into Eastern Europe. Georgia, a post-Soviet state on the border of Russia held a pro-West agenda. Georgia as a NATO PFP member favored inclusion into NATO. The Georgian government's pro-Western agenda led to the country's MAP application to NATO; with support from the Bush Administration at the 2008 Bucharest Conference. Allied members questioned Georgia's MAP application, and even opposed their inclusion into NATO. The Bucharest Conference ended with the NATO Secretary General Jaap de Hoop Scheffer's position of Georgia as a future NATO member, but denied their MAP application. NATO's reason for denial of Georgia's MAP application ranged from continued democratic reform, and diplomatic pressure from Russia, and conflict within the country's region of South Ossetia, and Abkhazia.

Russia would not accept NATO's expansion efforts towards the country's borders. Indeed historically, Russia exerted authority over the Georgian region. Georgia's desire for inclusion in a Western oriented economic and political systems contended with Russian influence in the region. Russia perceives NATO expansion as a threat to its sphere of East European influence applied diplomatic pressure for NATO not to accept Georgia's MAP application. Georgia's continued push for MAP acceptance with United States support further degraded Georgian–Russian relations.

Georgian acceptance to MAP would have established the country's likelihood for NATO membership. Precedents from previous countries accepted to MAP meant approval as a NATO member. The Bush Administration's support for Georgian acceptance to MAP, and the countries' denial into the process identified changes in the U.S.–NATO relationship. The United States maintains the position as a world superpower, yet competes with other counties, and regional

organizations for influence within the world environment. Georgia denial for MAP status, and Russian invasion in 2008, highlighted a lack both of influence and of consensus within NATO.

Before and during the Russian invasion, members of NATO and the United States made it clear there would be no provision of military assistance if a conflict broke out between the two countries. NATO and the United States condemned the Russian invasion, and provided economic support to Georgia. Georgia, a PFP member, potentially damaged both entities' legitimacy for future Alliance expansion eastward. NATO has no obligation to provide military support to a PFP member, only to an Alliance member. Instead, the United States and NATO deferred to EU leadership to end the hostilities between Georgia and Russia. Technically, NATO held no obligation to assist Georgia. However, the lack of action damaged the organization's credibility for future expansion. Additionally, the lack of NATO action may have driven potential future NATO candidates to accommodate themselves to Russian influence. A potential NATO applicant may not apply for membership if NATO cannot assure the country collective security against Russian aggression. Both U.S.-NATO diplomatic, and military action did act following the Arab Spring in support of R2P against the Libyan government's targeting of the civilian population.

In support of UNSCR 1973, the United States started Operation Odyssey Dawn and began operations attacking Gaddafi Regime targets. UNSCR 1973 stated no foreign troops would enter on the ground in Libya. Operation Odyssey Dawn's airstrikes were conducted primarily against Gaddafi's air defense network. The U.S.-led Operation Odyssey Dawn achieved success through the considerable support of United States air, intelligence, and logistic capabilities. The United States actions during Operation Odyssey Dawn illustrated the inability of NATO to conduct operations without United States support. As Operation Odyssey Dawn transitioned to Operation Unified Protector, NATO's lack of contributions became apparent during the operation. NATO's members failed to contribute to organizational agreed standard since

conception in 1949. However, the Alliance members' inability to equitability contribute for Operation Unified Protector showed a lack of consensus for NATO operations within Libya.

NATO's conduct of Operation Unified Protector required the approval of 28 Allied countries. During Operation Unified Protector, only six Alliance members provided the majority of air and sea operations to enforce UNSCR 1974. Failed consensus within the Alliance occurred for various reasons to include conducting a security operation outside the geographic boundaries of the Alliance; the conduct of collective security for a civilian population outside of NATO; and NATO's orientation to protect the population under R2P, yet a perception the organization sought regime change. Overall, Operation Odyssey Dawn, and Operation Unified Protector successfully protected the Libyan population from Gaddafi's attacks. The United States achieved success by providing military support to a multinational organization for an international resolution. The United States contributions continue to outweigh the efforts of members within the Alliance; but provide a means to project military and political power without the appearance of unilateral action. Additionally, the United States membership in NATO maintains international legitimacy with the maintenance of country's foreign policy.

All three case studies have identified strengths and weaknesses for United States membership to NATO. NATO's strengths provide national legitimacy through a regional organization, increased military power projection through basing, and United States foreign policy influence within a regional organization. The United States is the primary military contributor to the Alliance. However, the United States un-equitable contributions within the Alliance magnify as the country increases budget cuts throughout the United States government; this is not a new issue. NATO's weakness includes a lack of equitable burden sharing from all NATO members; degradation of United States influence within the organization; and a lack of political consensus within NATO. The case studies show that the United States never benefited

from equitable economic and military Alliance member contributions to NATO. Another NATO weakness involves the lack of consensus within the organization.

From Operation Allied Force, the Georgian–Russian War, and Operation Unified Protector consensus within NATO continues to become problematic. During the Cold War, NATO maintained consensus for decisions between organizational members to protect Western Europe from Soviet aggression. NATO, in a post-Cold war environment attempted to redefine its existence for collective security. NATO increased in political and military complexity to match the complexities of the global environment. Security and stability operations are a facet of NATO operations, but issues of consensus develop due to operational need, NATO vs. non-NATO membership, NATO expansion, geographic limitations on operations, support to international mandates, and influence on NATO policy from non-NATO members. The United States dominance of the NATO agenda and policy becomes less feasible as the organization evolves through increased globalization. The United States still exerts powerful influence in the organization, but must contend with each NATO member's own national policy within the organization. The United States position within NATO provides a distinct political, and military advantage to the country's national interests.

The United States benefits from the legitimacy of NATO. NATO provides diplomatic (increased political relationships leading to multinational support for United States national policy), and military (training and exposure to multinational forces, limited burden sharing of military operations, established relationships between multinational forces) support to United States foreign policy interests. The establishment of U.S.–NATO relations through diplomatic, and military interaction provide the United States regional and international legitimization; the country would not otherwise receive through unilateral action. An additional benefit from NATO derives from the access to basing through Allied countries.

The United States gains power projection through European Allied basing capabilities. The United States use of American, and Allied bases in Europe to support United States and NATO military operations in Europe, and the Middle East contribute to the country's ability to sustain United States foreign policy. Each of these bases provides access and infrastructure for United States military forces. The minimization of United States contributions to NATO could potentially limit United States power projection and harm the country's foreign policy. Access to NATO still provides an immeasurable amount of influence for United States policy in the European, and international community.

The United States influence in NATO lacks the country's Cold War influence of the organization. However, the United States can exert political and military influence in NATO, a European security organization where organizations such as the EU provide no access. NATO's operational agenda are not always under strict United States control, but United States national interests continually guide the organization. Due to the United States dominance in organizational contributions, the United States maintains a level of control for political/operational decisions, and military implementation. Any downsizing of United States participation within NATO may limit the country's influence within the organization towards United States policy.

NATO is a political and military organization providing a service to the international community. The United States leverages NATO's political and military capabilities to legitimize foreign policy initiatives. NATO must maintain what the international community needs, an actor capable of providing security and force protection. For the United States to remain competitive in an international environment the country should seek to maintain primacy and a predominant amount of NATO's capabilities. A failure of United States primacy in NATO potentially invites a loss of international political, military influence, and invites alternate organizations to supersede NATO as a security organization. Currently, no other regional or international institution provides the level of capabilities to support international resolutions, and mandates from the UN. The

United States must remain a member of NATO and continue to influence an increase of Allied commitment to the organization.

APPENDIX A: RESOLUTION 1160 (1998)

Adopted by the Security Council at its 3868th meeting,
on 31 March 1998

The Security Council,

Noting with appreciation the statements of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 9 and 25 March 1998 (S/1998/223 and S/1998/272), including the proposal on a comprehensive arms embargo on the Federal Republic of Yugoslavia, including Kosovo,

Welcoming the decision of the Special Session of the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) of 11 March 1998 (S/1998/246),

Condemning the use of excessive force by Serbian police forces against civilians and peaceful demonstrators in Kosovo, as well as all acts of terrorism by the Kosovo Liberation Army or any other group or individual and all external support for terrorist activity in Kosovo, including finance, arms and training,

Noting the declaration of 18 March 1998 by the President of the Republic of Serbia on the political process in Kosovo and Metohija (S/1998/250),

Noting also the clear commitment of senior representatives of the Kosovar Albanian community to non-violence,

Noting that there has been some progress in implementing the actions indicated in the Contact Group statement of 9 March 1998, but stressing that further progress is required,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Acting under Chapter VII of the Charter of the United Nations,

1. Calls upon the Federal Republic of Yugoslavia immediately to take the further necessary steps to achieve a political solution to the issue of Kosovo through dialogue and to implement the actions indicated in the Contact Group statements of 9 and 25 March 1998;
2. Calls also upon the Kosovar Albanian leadership to condemn all terrorist action, and emphasizes that all elements in the Kosovar Albanian community should pursue their goals by peaceful means only;
3. Underlines that the way to defeat violence and terrorism in Kosovo is for the authorities in Belgrade to offer the Kosovar Albanian community a genuine political process;
4. Calls upon the authorities in Belgrade and the leadership of the Kosovar Albanian community urgently to enter without preconditions into a meaningful dialogue on political status issues, and notes the readiness of the Contact Group to facilitate such a dialogue;
5. Agrees, without prejudging the outcome of that dialogue, with the proposal in the Contact Group statements of 9 and 25 March 1998 that the principles for a solution of the Kosovo problem should be based on the territorial integrity of the Federal Republic of Yugoslavia

and should be in accordance with OSCE standards, including those set out in the Helsinki Final Act of the Conference on Security and Cooperation in Europe of 1975, and the Charter of the United Nations, and that such a solution must also take into account the rights of the Kosovar Albanians and all who live in Kosovo, and expresses its support for an enhanced status for Kosovo which would include a substantially greater degree of autonomy and meaningful self-administration;

6. Welcomes the signature on 23 March 1998 of an agreement on measures to implement the 1996 Education Agreement, calls upon all parties to ensure that its implementation proceeds smoothly and without delay according to the agreed timetable and expresses its readiness to consider measures if either party blocks implementation;
7. Expresses its support for the efforts of the OSCE for a peaceful resolution of the crisis in Kosovo, including through the Personal Representative of the Chairman-in-Office for the Federal Republic of Yugoslavia, who is also the Special Representative of the European Union, and the return of the OSCE long-term missions;
8. Decides that all States shall, for the purposes of fostering peace and stability in Kosovo, prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, by their nationals or from their territories or using their flag vessels and aircraft, of arms and related matériel of all types, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned, and shall prevent arming and training for terrorist activities there;
9. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:
 - a. to seek from all States information regarding the action taken by them concerning the effective implementation of the prohibitions imposed by this resolution;
 - b. to consider any information brought to its attention by any State concerning violations of the prohibitions imposed by this resolution and to recommend appropriate measures in response thereto;
 - c. to make periodic reports to the Security Council on information submitted to it regarding alleged violations of the prohibitions imposed by this resolution;
 - d. to promulgate such guidelines as may be necessary to facilitate the implementation of the prohibitions imposed by this resolution;
 - e. to examine the reports submitted pursuant to paragraph 12 below;
10. Calls upon all States and all international and regional organizations to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any license or permit granted prior to the entry into force of the prohibitions imposed by this resolution, and stresses in this context the importance of continuing implementation of the Agreement on Subregional Arms Control signed in Florence on 14 June 1996;
11. Requests the Secretary-General to provide all necessary assistance to the committee established by paragraph 9 above and to make the necessary arrangements in the Secretariat for this purpose;
12. Requests States to report to the committee established by paragraph 9 above within 30 days of adoption of this resolution on the steps they have taken to give effect to the prohibitions imposed by this resolution;
13. Invites the OSCE to keep the Secretary-General informed on the situation in Kosovo and on measures taken by that organization in this regard;

14. Requests the Secretary-General to keep the Council regularly informed and to report on the situation in Kosovo and the implementation of this resolution no later than 30 days following the adoption of this resolution and every 30 days thereafter;
15. Further requests that the Secretary-General, in consultation with appropriate regional organizations, include in his first report recommendations for the establishment of a comprehensive regime to monitor the implementation of the prohibitions imposed by this resolution, and calls upon all States, in particular neighbouring States, to extend full cooperation in this regard;
16. Decides to review the situation on the basis of the reports of the Secretary-General, which will take into account the assessments of, *inter alia*, the Contact Group, the OSCE and the European Union, and decides also to reconsider the prohibitions imposed by this resolution, including action to terminate them, following receipt of the assessment of the Secretary-General that the Government of the Federal Republic of Yugoslavia, cooperating in a constructive manner with the Contact Group, have:
 - a. begun a substantive dialogue in accordance with paragraph 4 above, including the participation of an outside representative or representatives, unless any failure to do so is not because of the position of the Federal Republic of Yugoslavia or Serbian authorities;
 - b. withdrawn the special police units and ceased action by the security forces affecting the civilian population;
 - c. allowed access to Kosovo by humanitarian organizations as well as representatives of Contact Group and other embassies;
 - d. accepted a mission by the Personal Representative of the OSCE Chairman-in-Office for the Federal Republic of Yugoslavia that would include a new and specific mandate for addressing the problems in Kosovo, as well as the return of the OSCE long-term missions;
 - e. facilitated a mission to Kosovo by the United Nations High Commissioner for Human Rights;
17. Urges the Office of the Prosecutor of the International Tribunal established pursuant to resolution 827 (1993) of 25 May 1993 to begin gathering information related to the violence in Kosovo that may fall within its jurisdiction, and notes that the authorities of the Federal Republic of Yugoslavia have an obligation to cooperate with the Tribunal and that the Contact Group countries will make available to the Tribunal substantiated relevant information in their possession;
18. Affirms that concrete progress to resolve the serious political and human rights issues in Kosovo will improve the international position of the Federal Republic of Yugoslavia and prospects for normalization of its international relationships and full participation in international institutions;
19. Emphasizes that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo will lead to the consideration of additional measures;
20. Decides to remain seized of the matter.¹³⁹

¹³⁹United Nations Security Council, “Resolution 1160 (1998).”

APPENDIX B: RESOLUTION 1199 (1998)

Adopted by the Security Council at its 3930th meeting
on 23 September 1998

The Security Council,
Recalling its resolution 1160 (1998) of 31 March 1998,

Having considered the reports of the Secretary-General pursuant to that resolution, and in particular his report of 4 September 1998 (S/1998/834 and Add.1),

Noting with appreciation the statement of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 12 June 1998 at the conclusion of the Contact Group's meeting with the Foreign Ministers of Canada and Japan (S/1998/567, annex), and the further statement of the Contact Group made in Bonn on 8 July 1998 (S/1998/657),

Noting also with appreciation the joint statement by the Presidents of the Russian Federation and the Federal Republic of Yugoslavia of 16 June 1998 (S/1998/526),

Noting further the communication by the Prosecutor of the International Tribunal for the Former Yugoslavia to the Contact Group on 7 July 1998, expressing the view that the situation in Kosovo represents an armed conflict within the terms of the mandate of the Tribunal,

Gravely concerned at the recent intense fighting in Kosovo and in particular the excessive and indiscriminate use of force by Serbian security forces and the Yugoslav Army which have resulted in numerous civilian casualties and, according to the estimate of the Secretary-General, the displacement of over 230,000 persons from their homes,

Deeply concerned by the flow of refugees into northern Albania, Bosnia and Herzegovina and other European countries as a result of the use of force in Kosovo, as well as by the increasing numbers of displaced persons within Kosovo, and other parts of the Federal Republic of Yugoslavia, up to 50,000 of whom the United Nations High Commissioner for Refugees has estimated are without shelter and other basic necessities,

Reaffirming the right of all refugees and displaced persons to return to their homes in safety, and underlining the responsibility of the Federal Republic of Yugoslavia for creating the conditions which allow them to do so,

Condemning all acts of violence by any party, as well as terrorism in pursuit of political goals by any group or individual, and all external support for such activities in Kosovo, including the supply of arms and training for terrorist activities in Kosovo and expressing concern at the reports of continuing violations of the prohibitions imposed by resolution 1160 (1998),

Deeply concerned by the rapid deterioration in the humanitarian situation throughout Kosovo, alarmed at the impending humanitarian catastrophe as described in the report of the Secretary-General, and emphasizing the need to prevent this from happening,

Deeply concerned also by reports of increasing violations of human rights and of international humanitarian law, and emphasizing the need to ensure that the rights of all inhabitants of Kosovo are respected,

Reaffirming the objectives of resolution 1160 (1998), in which the Council expressed support for a peaceful resolution of the Kosovo problem which would include an enhanced status for Kosovo, a substantially greater degree of autonomy, and meaningful self-administration,

Reaffirming also the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Affirming that the deterioration of the situation in Kosovo, Federal Republic of Yugoslavia, constitutes a threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands that all parties, groups and individuals immediately cease hostilities and maintain a ceasefire in Kosovo, Federal Republic of Yugoslavia, which would enhance the prospects for a meaningful dialogue between the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership and reduce the risks of a humanitarian catastrophe;
2. Demands also that the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership take immediate steps to improve the humanitarian situation and to avert the impending humanitarian catastrophe;
3. Calls upon the authorities in the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter immediately into a meaningful dialogue without preconditions and with international involvement, and to a clear timetable, leading to an end of the crisis and to a negotiated political solution to the issue of Kosovo, and welcomes the current efforts aimed at facilitating such a dialogue;
4. Demands further that the Federal Republic of Yugoslavia, in addition to the measures called for under resolution 1160 (1998), implement immediately the following concrete measures towards achieving a political solution to the situation in Kosovo as contained in the Contact Group statement of 12 June 1998:
 - a. cease all action by the security forces affecting the civilian population and order the withdrawal of security units used for civilian repression;
 - b. enable effective and continuous international monitoring in Kosovo by the European Community Monitoring Mission and diplomatic missions accredited to the Federal Republic of Yugoslavia, including access and complete freedom of movement of such monitors to, from and within Kosovo unimpeded by government authorities, and expeditious issuance of appropriate travel documents to international personnel contributing to the monitoring;
 - c. facilitate, in agreement with the UNHCR and the International Committee of the Red Cross (ICRC), the safe return of refugees and displaced persons to their homes and allow free and unimpeded access for humanitarian organizations and supplies to Kosovo;
 - d. make rapid progress to a clear timetable, in the dialogue referred to in paragraph 3 with the Kosovo Albanian community called for in resolution 1160 (1998), with the aim of agreeing confidence-building measures and finding a political solution to the problems of Kosovo;

5. Notes, in this connection, the commitments of the President of the Federal Republic of Yugoslavia, in his joint statement with the President of the Russian Federation of 16 June 1998:

- a. to resolve existing problems by political means on the basis of equality for all citizens and ethnic communities in Kosovo;
- b. not to carry out any repressive actions against the peaceful population;
- c. to provide full freedom of movement for and ensure that there will be no restrictions on representatives of foreign States and international institutions accredited to the Federal Republic of Yugoslavia monitoring the situation in Kosovo;
- d. to ensure full and unimpeded access for humanitarian organizations, the ICRC and the UNHCR, and delivery of humanitarian supplies;
- e. to facilitate the unimpeded return of refugees and displaced persons under programmes agreed with the UNHCR and the ICRC, providing State aid for the reconstruction of destroyed homes,

and calls for the full implementation of these commitments;

6. Insists that the Kosovo Albanian leadership condemn all terrorist action, and emphasizes that all elements in the Kosovo Albanian community should pursue their goals by peaceful means only;
7. Recalls the obligations of all States to implement fully the prohibitions imposed by resolution 1160 (1998);
8. Endorses the steps taken to establish effective international monitoring of the situation in Kosovo, and in this connection welcomes the establishment of the Kosovo Diplomatic Observer Mission;
9. Urges States and international organizations represented in the Federal Republic of Yugoslavia to make available personnel to fulfil the responsibility of carrying out effective and continuous international monitoring in Kosovo until the objectives of this resolution and those of resolution 1160 (1998) are achieved;
10. Reminds the Federal Republic of Yugoslavia that it has the primary responsibility for the security of all diplomatic personnel accredited to the Federal Republic of Yugoslavia as well as the safety and security of all international and non-governmental humanitarian personnel in the Federal Republic of Yugoslavia and calls upon the authorities of the Federal Republic of Yugoslavia and all others concerned in the Federal Republic of Yugoslavia to take all appropriate steps to ensure that monitoring personnel performing functions under this resolution are not subject to the threat or use of force or interference of any kind;
11. Requests States to pursue all means consistent with their domestic legislation and relevant international law to prevent funds collected on their territory being used to contravene resolution 1160 (1998);
12. Calls upon Member States and others concerned to provide adequate resources for humanitarian assistance in the region and to respond promptly and generously to the United Nations Consolidated Inter-Agency Appeal for Humanitarian Assistance Related to the Kosovo Crisis;
13. Calls upon the authorities of the Federal Republic of Yugoslavia, the leaders of the Kosovo Albanian community and all others concerned to cooperate fully with the Prosecutor of the International Tribunal for the Former Yugoslavia in the investigation of possible violations within the jurisdiction of the Tribunal;

14. Underlines also the need for the authorities of the Federal Republic of Yugoslavia to bring to justice those members of the security forces who have been involved in the mistreatment of civilians and the deliberate destruction of property;
15. Requests the Secretary-General to provide regular reports to the Council as necessary on his assessment of compliance with this resolution by the authorities of the Federal Republic of Yugoslavia and all elements in the Kosovo Albanian community, including through his regular reports on compliance with resolution 1160 (1998);
16. Decides, should the concrete measures demanded in this resolution and resolution 1160 (1998) not be taken, to consider further action and additional measures to maintain or restore peace and stability in the region;
17. Decides to remain seized of the matter.¹⁴⁰

¹⁴⁰United Nations Security Council, “Resolution 1199 (1998).”

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